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DOCKET NO. 49464  
SOAH DOCKET NO. 473-20-1427

RECEIVED  
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BEFORE THE  
PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF DREW T. §  
SPENCER DBA CYPRESSWOOD §  
ESTATES WATER SYSTEM AND §  
SOUTH COAST UTILITIES, LLC FOR §  
SALE, TRANSFER, OR MERGER OF §  
FACILITIES AND CERTIFICATE §  
RIGHTS IN MONTGOMERY COUNTY §

STATE OFFICE OF  
ADMINISTRATIVE HEARINGS

**MOTION TO WITHDRAW APPLICATION**

**TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:**

COMES NOW, Harrison Williams as Temporary Manager of Drew T. Spencer d/b/a Cypresswood Estates Water System<sup>1</sup> (“Williams”) and South Coast Utilities, LLC (“South Coast”) (collectively, “Applicants”) and file this Motion to Withdraw the Application for Sale, Transfer, or Merger of Facilities and Certificate Rights, and would respectfully show as follows:

**I. BACKGROUND**

On April 18, 2019, Drew T. Spencer d/b/a Cypress Wood Estates (“Cypresswood Estates”) and South Coast filed an application for Sale, Transfer, Merger (“STM Application”) of the public water supply system and water certificate of convenience and necessity (“CCN”) No. 12498 in Montgomery County. On December 2, 2019, the Executive Director of the Public Utility Commission of Texas (“Commission”) issued an emergency order appointing Harrison Williams, owner of South Coast, as Temporary Manager of the Cypresswood Estates Water System. On January 16, 2020, the Commission affirmed the emergency order<sup>2</sup> and issued its Preliminary Order setting out issues to be addressed in this docket.<sup>3</sup> Pursuant to SOAH No. 2, the deadline for joint applicant direct testimony is February 13, 2020. Therefore this pleading is timely filed.

<sup>1</sup> Order Affirming and Modifying Emergency Order, Docket No. 50303 (Feb. 4, 2020).

<sup>2</sup> *Id.*

<sup>3</sup> Preliminary Order (Jan. 31, 2020).

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## II. WITHDRAWAL

Pursuant to title 16 Tex. Admin. Code (“TAC”) § 22.181(g)(1), a party that initiated a proceeding may withdraw its application without prejudice to refile at any time before that party has presented its direct case. Applicants have not presented their direct case in this docket and therefore satisfy the Commission rules for withdrawal of an application without prejudice. Applicants Williams and South Coast hereby withdraw the STM application without prejudice.

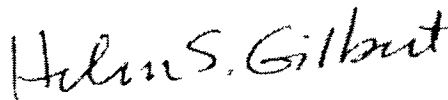
## III. PRAYER

WHEREFORE, PREMISES CONSIDERED, Applicants Williams and South Coast pray that the ALJ issues an order acknowledging the withdrawal of the application without prejudice and dismiss this matter, together with such other relief to which they are entitled.

Respectfully submitted,

Helen S. Gilbert  
State Bar No. 00786263  
Randall B. Wilburn  
State Bar No. 24033342  
**GILBERT WILBURN, PLLC**  
7000 N. MoPac Expwy, Suite 200  
Austin, Texas 78731  
Telephone: (512) 494-5341  
Telecopier: (512) 472-4014

By:

  
\_\_\_\_\_  
Helen S. Gilbert

**ATTORNEYS FOR SOUTH COAST  
UTILITIES, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 12<sup>th</sup> of February 2020.

*Helen S. Gilbert*

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Helen S. Gilbert