

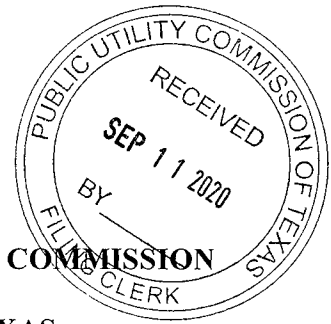


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DOCKET NO. 49660

APPLICATION OF NI AMERICA
TEXAS, LLC AND MONARCH
UTILITIES I L.P. FOR SALE,
TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN JOHNSON AND WISE
COUNTIES

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PUBLIC UTILITY COMMISSION
OF TEXAS

**NI AMERICA TEXAS, LLC AND MONARCH UTILITIES I L.P.'S
REQUEST FOR EXTENSION OF TIME TO FILE CONSENT FORM**

Ni America Texas, LLC (Ni America Texas) and Monarch Utilities I L.P. (Monarch) (collectively, Applicants) file this Request for Extension of Time to File Consent Forms with the Public Utility Commission (Commission), pursuant to Order No. 12.¹

I. BACKGROUND

On June 21, 2019, the Applicants filed an application (Application) for approval of the sale, transfer, or merger (STM) of facilities and certificate and convenience and necessity (CCN) rights in Johnson and Wise Counties. The STM is for the purpose of consolidation. Specifically, the Applicants seek approval for the transfer of water facilities and water service area under CCN No. 11922, the cancellation of Ni America Texas's CCN No. 11922, and the amendment of Monarch's water CCN No. 12983 to include the area currently under CCN No. 11922. SouthWest Water Company is the parent company of both Monarch and Ni America Texas, to which it provides operations and customer service via the Texas Utilities Group of SouthWest Water. The requested transfer area includes approximately 5,225 acres and 1,166 current customers. On July 8, 2020, the administrative law judge (ALJ) issued Order No. 11, which established a deadline of July 31, 2020, for Staff to file a supplemental recommendation on the sufficiency of the closing

¹ Order No. 12 Finding Closing Documentation Sufficient and Establishing Procedural Schedule (Aug. 21, 2020).

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documents and customer deposit information and propose a procedural schedule for further processing of the docket. Commission Staff filed its supplemental recommendation on July 28, 2020, and determined that Applicants' filings meet the requirements of 16 Texas Administrative Code (TAC) §§ 24.239(k)-(n).

On August 21, 2020, the ALJ issued Order No. 12 adopting a procedural schedule. Under the procedural schedule, the Applicants were required to file a consent form approving the final maps, certificates, and tariffs by September 11, 2020. In order to sufficiently prepare the necessary pleadings to effectuate the transactions in the STM Application, Applicants needed to obtain counsel, thus necessitating the requested delay.

II. REQUEST FOR EXTENSION

Pursuant to 16 TAC § 22.4(b), Applicants request to extend the deadline to file the consent form described in Order No. 12 to September 25, 2020, and the deadline to file the Joint Proposed Notice of Approval described in Order No. 12 to October 2, 2020. In order to ensure full compliance with Order No. 12, Applicants are seeking a minimal extension of time. This request is not intended for the purpose of unnecessary delay, and has not been caused by neglect, indifference, or lack of diligence. Applicants conferred with Commission Staff, and they have agreed to Applicants' request.

III. CONCLUSION

Applicants respectfully request the issuance of an order granting Applicants' request and extending the deadline for Applicants to file the necessary consent form to September 25, 2020, and the deadline for the parties to jointly file Proposed Notice of Approval to October 2, 2020.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE
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**ATTORNEYS FOR NI AMERICA TEXAS,
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CERTIFICATE OF SERVICE

I hereby certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on September 11, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ William A. Faulk, III

WILLIAM A. FAULK, III