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DOCKET NO. 49863

**PETITION OF ALAMO MISSION LLC §
TO AMEND ROCKETT SPECIAL §
UTILITY DISTRICT'S WATER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN ELLIS COUNTY §
BY EXPEDITED RELEASE §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S REQUEST FOR EXTENSION

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this request. In support thereof, Staff would show the following:

I. BACKGROUND

On August 16, 2019, Alamo Mission LLC (Alamo) filed a petition for streamlined expedited release of approximately 166 acres from Rockett Special Utility District's (Rockett's) water certificate of convenience and necessity No. 10099, in Ellis County, under Texas Water Code § 13.254 and 16 Texas Administrative Code (TAC) § 24.245(l).¹

On July 27, 2020, Order No. 9 was issued, continuing to abate the proceeding due to the pendency of federal litigation. In that order, Staff was required to file a report regarding the status of the litigation by October 15, 2020. On October 1, 2020, Alamo filed a motion to lift the abatement. Under 16 TAC § 22.78(a), a responsive pleading is due five business days after receipt of the pleading to which the response is made. Five business days from October 1, 2020 is October 8, 2020. This pleading, therefore, is timely filed.

II. REQUEST FOR EXTENSION

Pursuant to 16 TAC § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Staff anticipates that Rockett will file a response to Alamo's motion to lift abatement on October 8, 2020. In accordance with the timing requirement in 16 TAC § 22.78(a), Staff requests an extension so as to have the ability to efficiently respond to both Alamo's motion and Rockett's reply in one pleading. As such, Staff

¹ Effective July 2, 2020, the former 16 TAC § 24.245(l) is now § 24.245(h).

requests that the deadline to file its response be extended to October 15, 2020—the date Staff's report on the status of the pending federal litigation was originally to be due.

III. CONCLUSION

Staff respectfully requests an order consistent with the foregoing request.

Dated: October 7, 2020

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record on October 7, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Creighton R. McMurray
Creighton R. McMurray