



Control Number: 49871



Item Number: 13

Addendum StartPage: 0

**DOCKET NO. 49871**

**PETITION OF THE CITY OF RED OAK  
INDUSTRIAL DEVELOPMENT  
CORPORATION TO AMEND  
ROCKETT SPECIAL UTILITY  
DISTRICT'S WATER CERTIFICATE  
OF CONVENIENCE AND NECESSITY  
IN DALLAS AND ELLIS COUNTIES BY  
EXPEDITED RELEASE**

**§ PUBLIC UTILITY COMMISSION  
§ OF TEXAS  
§ FILING CLERK**

**ORDER NO. 4  
ABATING PROCEEDING**

This Order addresses the processing of the petition of the City of Red Oak Industrial Development Corporation to amend the water certificate of convenience and necessity of Rockett Special Utility District in Dallas and Ellis Counties by expedited release. An issue raised in this case pertaining to possible federal preemption under 7 U.S.C. § 1926(b) has recently become the subject of federal court litigation between the parties. Consistent with the discussion of the Commissioners at the November 14, 2019 open meeting concerning Docket No. 48801, an expedited release petition involving the same federal preemption issue, the administrative law judge finds that the processing of this case should be abated due to the pendency of the federal litigation.

Accordingly, the processing of this proceeding is abated. On or before May 15, 2020, Commission Staff must file a status report concerning the status of the litigation.

Signed at Austin, Texas the 15<sup>th</sup> day of November 2019.

**PUBLIC UTILITY COMMISSION OF TEXAS**



**STEVEN LEARY  
ADMINISTRATIVE LAW JUDGE**

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PETITION OF THE CITY OF RED OAK § PUBLIC UTILITY COMMISSION  
INDUSTRIAL DEVELOPMENT §  
CORPORATION TO AMEND §  
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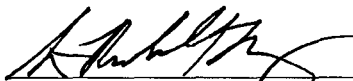
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