



Control Number: 49871



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PUC 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**

ROCKETT SPECIAL UTILITY DISTRICT'S MOTION FOR LEAVE

COMES NOW, ROCKETT SPECIAL UTILITY DISTRICT (Rockett) and files this Motion for Leave. In support thereof, Rockett respectfully would show as follows:

1. On September 21, 2020, Red Oak Industrial Development Corporation (ROIDC) filed an Amendment of Petition and Request to Restyle Docket, asserting that ROIDC, not Petitioner City of Red Oak Industrial Development Corporation (CROIDC), was the correct landowner of the subject property in the Petition. On September 28, 2020, Rockett filed its Response and Objection to the Amendment of Petition and Request to Restyle Docket and Renewed Motion to Dismiss the Petition. On October 5, 2020, ROIDC filed a Reply to Rockett's Response, Item 33, and also a Third Motion to Lift Abatement. On October 7, 2020, Commission Staff (Staff) filed its Request for Extension for responding to ROIDC's Third Motion to Lift Abatement, along with the report on the status of the pending federal litigation due on October 15, 2020 required by Order No. 8.

2. The Commission issued Order No. 9, granting Staff's Request for Extension and also required Staff to file comments concerning Rockett's Response and Objection and Renewed Motion to Dismiss by October 23, 2020.

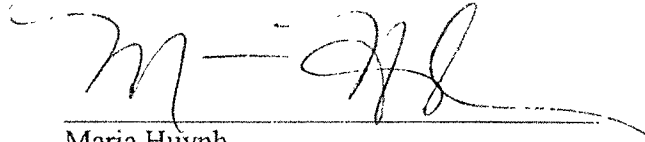
PRAYER

WHEREFORE, PREMISES CONSIDERED, Rockett respectfully requests leave to file its Surreply, to distinguish the cases cited by ROIDC in its Reply (Item 33), to clarify ownership of

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the Property in the Petition, and in order for Staff to fully and comprehensively respond to Rockett's Response and Objection to the Amendment of Petition and Request to Restyle Docket and Renewed Motion to Dismiss (Item 32) by the October 23, 2020 deadline.

Respectfully submitted,



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**ATTORNEYS FOR ROCKETT SPECIAL
UTILITY DISTRICT**

CERTIFICATE OF SERVICE

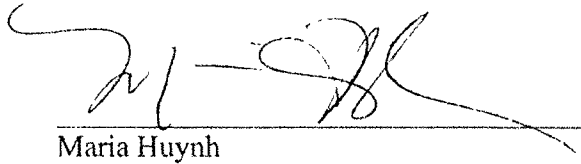
I certify that a true and correct copy of this document was served on the following parties of record on October 14, 2020, via electronic mail in accordance with the Commission's Order.¹

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¹ *Issues Related to the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Order Suspending Rules (Mar. 16, 2020).