

Control Number: 50059



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APPLICATION OF DOUBLE DIAMOND §  
UTILITIES COMPANY, INC., DOUBLE §  
DIAMOND PROPERTIES §  
CONSTRUCTION COMPANY, AND §  
MIDWAY WATER UTILITIES, INC. §  
FOR SALE, TRANSFER, OR MERGER §  
OF FACILITIES AND CERTIFICATE §  
RIGHTS IN HILL, PALO PINTO, §  
JOHNSON, AND GRAYSON COUNTIES §

PUBLIC UTILITY COMMISSION

OF TEXAS

**AGREED MOTION TO EXTEND DEADLINE TO FILE  
PROOF OF NOTICE BY PUBLICATION**

Double Diamond Utilities Company, Inc., Double Diamond Properties Construction Company, and Midway Water Utilities, Inc. (collectively, "Applicants") file this Agreed Motion to Extend Deadline to File Proof of Notice by Publication in this docket and in support thereof respectfully show the following:

**I. BACKGROUND**

On September 27, 2019, Applicants filed an application for approval of the sale, transfer, or merger of facilities and certificates of convenience and necessity rights in Hill, Palo Pinto, Johnson, and Grayson counties. On November 20, 2019, the Staff of the Public Utility Commission ("Commission Staff") filed their Recommendation on Administrative Completeness, along with a memorandum requesting that Applicants be required to "publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Grayson, Hill, Johnson, Palo Pinto Counties."<sup>1</sup> On December 2, 2019, the PUC's Administrative Law Judge ("ALJ") issued Order No. 4 in this docket, requiring that proof of notice and proof of publication be filed by Applicants by no later than December 30, 2019.<sup>2</sup> On December 2, 2019,

<sup>1</sup> Commission Staff's Recommendation on Administrative Completeness at 4 (Nov. 20, 2019).

<sup>2</sup> Order No. 4 Finding Application Administratively Complete, Requiring Notice; and Establishing Procedural Schedule at 1 (Dec. 2, 2019).

Applicants filed Proof of Notice by mail, along with a copy of the notice provided to affected customers.<sup>3</sup>

## **II. MOTION TO EXTEND DEADLINE TO FILE PROOF OF NOTICE**

The last day for publication of notice for the second consecutive week is on December 20, 2019. However, key personnel for the Applicant is currently out of the office for the holidays and will not be able to execute and forward the appropriate affidavits until after the currently posted deadline. Applicants have conferred with Commission Staff who stated that Commission Staff agrees to the requested extension. Accordingly, Applicants hereby submit this motion to extend the deadline to file proof of notice by publication until no later than January 10, 2020.

## **III. CONCLUSION AND PRAYER**

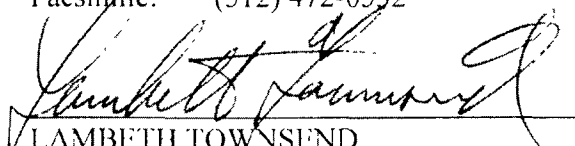
Applicants respectfully request that the deadline to file proof of notice by publication be extended from December 30, 2019, to January 10, 2020, as agreed to between the Applicants and Commission Staff, and that the ALJ grant any further relief to which Applicants show themselves justly entitled.

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<sup>3</sup> Applicants' Proof of Notice (Dec. 2, 2019).

Respectfully submitted,

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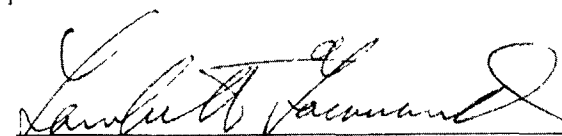
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**ATTORNEYS FOR APPLICANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of December, 2019, a true and correct copy of the foregoing document has been served on all parties of record in accordance with 16 Tex. Admin. Code § 22.74.

  
LAMBETH TOWNSEND