



Control Number: 50197



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**DOCKET NO. 50197**

**APPLICATION OF TIMBERCREST  
PARTNERS LLC FOR AUTHORITY TO  
CHANGE RATES**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

2020 SEP 15 AM 9:52

FILED

**ORDER NO. 7**

**FINDING NOTICE DEFICIENT; REQUIRING RESPONSE TO MOTION TO  
COMPEL; ADDRESSING EXTENSION REQUEST**

This Order addresses Commission Staff's recommendation on notice sufficiency filed on August 14, 2020, motion to compel filed that same date, and request for extension filed on September 3, 2020.

In Order No. 5 filed on June 29, 2020, the administrative law judge (ALJ) directed the applicant to provide new notice to all affected ratepayers with a revised effective date so as provide at least 35 days' notice to the ratepayers from the date the new notice is provided. Additionally, in Order No. 5, the ALJ granted Commission Staff's motion to declassify certain materials that had been designated by the applicant as confidential, directing the applicant to file unredacted copies of these materials. In Order No. 6 filed on July 10, 2020, the ALJ set a deadline of July 17, 2020 for the applicant to file unredacted copies of the materials and a deadline of July 31, 2020 for the applicant to file proof of the new notice required by Order No. 5.

In Commission Staff's August 14, 2020 filing, Commission Staff noted that the applicant had not yet filed either the required proof of notice or the required unredacted materials. Commission Staff thus requested that notice be deemed deficient and requested an order compelling the filing of the declassified materials. Commission Staff further requested that a revised procedural schedule be adopted. In its September 3, 2020 filing, Commission Staff requested an extension of a September 4, 2020 deadline it proposed on August 14, 2020 for the filing of a supplemental recommendation on notice sufficiency. Because the proposed deadline was not adopted, Commission Staff's request for extension is moot at this time.

As of the date of this Order, it appears to the ALJ that the required proof of notice and unredacted materials have not yet been filed. The ALJ therefore deems notice deficient. On or before October 5, 2020, the applicant must file the required proof of new notice in accordance with Order No. 5 and must file a response to Commission Staff's motion to compel. On or before

October 12, 2020, Commission Staff must file a supplemental recommendation on the sufficiency of notice.

**Signed at Austin, Texas the 15<sup>th</sup> day of September 2020.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read 'S. Leary', written over a horizontal line.

**STEVEN LEARY  
ADMINISTRATIVE LAW JUDGE**