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PETITION OF STERLING DEASON	§	PUBLIC UTILITY COMMISSION
O'DONNELL AND DARWIN DEASON,	§	
CO-TRUSTEES OF THE STERLING	§	OF TEXAS
DEASON O'DONNELL DD 2012 TRUST	§	
UNDER AGREEMENT OF THE DD	§	
2014-B GRANTOR RETAINED	§	
ANNUITY TRUST TO AMEND	§	
MARILEE SPECIAL UTILITY	§	
DISTRICT'S CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
COLLIN COUNTY BY EXPEDITED	§	
RELEASE	§	

STATUS REPORT AND REQUEST FOR EXTENSION

I. BACKGROUND

On January 2, 2020, Sterling Deason O'Donnell and Darwin Deason, Co-Trustees of the Sterling Deason O'Donnell DD 2012 Trust under agreement of the DD 2014-B Grantor Retained Annuity Trust (Petitioner), filed a petition for streamlined expedited release to amend Marilee Special Utility District's (Marilee SUD) water Certificate of Convenience and Necessity (CCN) No. 10150 in Collin County under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(*J*). On May 10, 2022, both the Petitioner and Marilee SUD filed appraiser's reports.

On July 15, 2022, the administrative law judge (ALJ) filed Order No. 19, establishing a deadline for Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a status report on the progress of payment for Staff's appraiser on August 1, 2022, and continuing thereafter on the first of each month. Staff filed a status report on August 1, 2022. Therefore, this pleading is timely filed.

II. STATUS REPORT

On July 15, 2022, the ALJ filed Order No. 19. In that order, the ALJ ruled that the Petitioner is not obligated to communicate further with Staff's appraiser beyond providing him a firm commitment to pay its half of the costs of Staff's report. The ALJ ruled that these types of communications constitute discovery, which is impermissible in expedited release dockets due to their un-contested nature.

Since Staff first learned that the Petitioner and the CCN holder were unlikely to reach an agreement on a compensation amount, Staff has been working with its appraiser, Mr. Wilson, to timely satisfy its obligation to provide an appraiser's report. Mr. Wilson recently informed Staff that he is terminating his agreement to work with Staff. Furthermore, he informed Staff that he is terminating his agreement to prepare an appraiser report because Counsel for the Petitioner has neither approached him to provide the information he requires to prepare his report nor provided him a firm commitment that the Petitioner would compensate him for its half of his report. Mr. Wilson will no longer prepare an appraiser's report for this docket.

III. REQUEST FOR EXTENSION

Under 16 Texas Administrative Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. As a result of Mr. Wilson terminating his agreement to prepare Staff's appraiser's report, Staff needs additional time to secure an arrangement with another appraiser. Staff respectfully requests a 30-day extension so that it may secure another appraiser to prepare its report and thereby satisfy its obligation under the compensation phase rules for expedited release dockets. Depending on the date on which Staff successfully secures an arrangement with another appraiser, that appraiser may require additional time to prepare his or her report.

IV. CONCLUSION

Staff informs the ALJ that its appraiser, Mr. Wilson, has terminated his agreement to prepare Staff's appraiser's report. Staff respectfully requests additional time to secure another appraiser. Staff will file an updated status report either on the date it receives confirmation that it has secured another appraiser, or on the first day of the following month, October 1, 2022, whichever is earlier.

Date: September 1, 2022

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 September 1, 2022 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Phillip Lehmann
Phillip Lehmann