

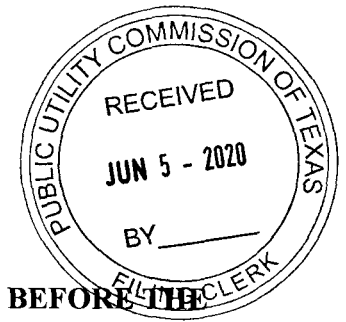


Control Number: 50543



Item Number: 11

Addendum StartPage: 0



DOCKET NO. 50543

**APPLICATION OF SP UTILITY
COMPANY, INC. TO AMEND ITS
CERTIFICATE OF CONVENIENCE
AND NECESSITY AND FOR DUAL
CERTIFICATION WITH DREW T.
SPENCER D/B/A CYPRESSWOOD
ESTATES IN MONTGOMERY
COUNTY**

§
§
§
§
§
§
§

PUBLIC UTILITY COMMISSION

OF TEXAS

SP UTILITY COMPANY, INC.'s REQUEST FOR EXTENSION

COMES NOW, SP Utility Company, Inc. (hereinafter, "SP Utility"), and files this Request for Extension in the above-docketed case, and would respectfully show the following:

I. BACKGROUND

On February 12, 2020, SP Utility filed an application to amend its water Certificate of Convenience and Necessity ("CCN") No. 12978 and for dual certification with Drew T. Spencer d/b/a Cypresswood Estates Water System. On March 12, 2020, the Staff of the Public Utility Commission of Texas ("Commission") filed their Recommendation that the application be deemed administratively incomplete. On March 18, 2020, the Commission Administrative Law Judge ("ALJ") issued Order No. 2, finding the application administratively incomplete and establishing deadlines and an opportunity for SP Utility to cure. After SP Utility supplemented its application on April 10, 2020, Commission Staff filed a Supplemental Recommendation and memorandum again finding the application incomplete. Order No. 3 established June 8, 2020 as the deadline for SP Utility to cure the deficiencies identified in the Commission Staff's memorandum. This request for extension is made prior to the June 8, 2020 deadline and is therefore timely pled.

II. REQUEST FOR EXTENSION

Commission Staff's second memorandum of May 8, 2020 recommended that SP Utility submit proof that it had filed plans and specifications for its new proposed facility with the Texas Commission on Environmental Quality ("TCEQ") by June 8, 2020. In light of the COVID-19 pandemic and work stoppages and shortages outside of its control, SP Utility has not been able to

complete its plans and specifications submittal to TCEQ within the timeframe chosen by Commission Staff. SP Utility believes a more realistic deadline to cure the deficiencies noted by Commission Staff (i.e., to provide proof of its TCEQ submittal) is sixty (60) days from today or August 4, 2020.

III. PRAYER

WHEREFORE, PREMISES CONSIDERED, SP Utility respectfully prays that the Commission ALJ extend SP Utility's deadline to supplement its application to cure deficiencies noted by Commission Staff (proof of its TCEQ submittal) until August 4, 2020, and all other such relief to which it is entitled.

Respectfully submitted,

Randall B. Wilburn
State Bar No. 24033342
Helen Gilbert
State Bar No. 00786263
GILBERT WILBURN PLLC
7000 North MoPac Expwy., Suite 200
Austin, Texas 78731
Telephone: (512) 494-5341
Telecopier: (512) 472-4014

By: 

ATTORNEYS FOR SP UTILITY COMPANY,
INC.

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via electronic mail on all parties on the 5th day of June 2020 in accordance with the Order Suspending Rules, issued in Project No. 50664.

By: 

Helen S. Gilbert