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**DOCKET NO. 50543**

2021 JUL 13 PM 1:03

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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

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**COMMISSION STAFF'S REPLY TO SP UTILITY COMPANY, INC.'S RESPONSE TO  
ORDER NO. 16 AND AGREED PROCEDURAL SCHEDULE**

On February 12, 2020, SP Utility Company, Inc. (SP Utility) filed an application to amend its water certificate of convenience and necessity (CCN) number 12978 and for dual certification with Drew T. Spencer dba Cypresswood Estates Water System in Montgomery County, Texas. The requested area consists of 256 acres and 151 customer connections. SP Utility filed supplemental information on April 10, 2020, April 13, 2020, April 16, 2020, September 9, 2020, November 2, 2020, November 6, 2020, December 7, 2020, March 17, 2021, April 13, 2021, June 4, 2021, June 14, 2021, and July 9, 2021.

On July 9, 2021, SP Utility filed its Response<sup>1</sup> to Order No. 16, which included a status report and supplemental response to question Staff 4-1.<sup>2</sup> Under 16 Texas Administrative Code (TAC) § 22.78, a responsive pleading must be filed within five working days after receipt of the pleading to which the response is made.<sup>3</sup> SP Utility's Response was filed on July 9, 2021. Therefore, this pleading is timely filed.

**I. REPLY TO SP UTILITY'S RESPONSE**

Staff is unopposed to SP Utility's proposed termination of the abatement of this docket. In response to Staff 4-1, SP Utility provided a June 30, 2021 approval letter from the Texas

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<sup>1</sup> SP Utility Company, Inc.'s Response to Order No. 16 (Jul. 9, 2021) (Response).

<sup>2</sup> See Commission Staff's Fourth Request for Information to SP Utility Company, Inc. at 5 (May 26, 2021).

<sup>3</sup> 16 TAC §22.78(a).

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Commission on Environmental Quality (TCEQ), which states that the TCEQ has approved SP Utility's proposed distribution system modifications,<sup>4</sup> satisfying Staff's request in Staff 4-1.

## **II. PROPOSED PROCEDURAL SCHEDULE**

Staff has conferred with counsel for SP Utility and the parties have come to an agreement regarding the following proposed procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for Staff to request a hearing, or if no hearing is requested, to file a final recommendation on the application	July 16, 2021
If no hearing is requested, deadline for the parties to file joint proposed findings of fact and conclusions of law	July 23, 2021

Staff and SP Utility respectfully request that the procedural schedule above be adopted for further processing of this docket.

## **III. CONCLUSION**

On the aforementioned basis, Staff respectfully requests that the ALJ lift the abatement of this proceeding and adopt the agreed procedural schedule proposed above.

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<sup>4</sup> Response at 7-8.

Dated: July 13, 2021

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 via electronic mail on July 13, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Justin C. Adkins

Justin C. Adkins