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DOCKET NO. 50569

**APPLICATION OF MSEC WASTE
WATER, INC. FOR AUTHORITY TO
CHANGE RATES**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF’S REQUEST FOR EXTENSION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Request for Extension. In support thereof, Staff shows the following:

I. BACKGROUND

On March 9, 2020, MSEC Waste Water, Inc. (MSEC WW or the Applicant) filed as a Class D utility using a Class C rate change application for its sewer customers. MSEC WW holds sewer certificate of convenience and necessity (CCN) number 20984 with a total of 10 active connections.

On June 10, 2020, Staff filed its Supplemental Recommendation on Administrative Completeness of the Application and Notice, recommending that MSEC WW’s application and notice continue to be found deficient and administratively incomplete. On June 11, 2020, the administrative law judge (ALJ) issued Order No. 5, finding the application incomplete and deficient, and directing MSEC WW to amend its application and provide all the information required for a base rate case for a Class B utility, or answer the questions posed by Staff in its supplemental recommendation filed on June 10, 2020. On June 29, 2020, MSEC WW filed its Response to Order No. 5, answering the questions posed by Staff.

Based on those responses, Staff filed a discovery request on July 17, 2020, requesting additional information. On August 3, 2020, MSEC WW objected to Staff’s First Request for Information (RFI). On August 10, 2020, Staff filed a motion to compel, requesting the entry of an order compelling MSEC WW to respond to Staff’s First RFIs to MSEC WW. MSEC WW filed its response to Staff’s motion to compel on August 17, 2020.

On July 23, 2020, the ALJ issued Order No. 6, directing Staff to file a supplemental recommendation on the application and notice by August 27, 2020. Therefore, this pleading is timely filed.

II. REQUEST FOR EXTENSION

Pursuant to 16 Texas Administrative Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Staff issued a discovery request to MSEC WW to obtain additional information needed to make a recommendation on administrative completeness, which MSEC WW objected to. Staff filed a motion to compel MSEC WW to respond to its discovery request and MSEC WW subsequently filed a response to Staff's motion to compel. Because Staff does not yet have the responses to its discovery request, and the ALJ has not yet ruled on Staff's motion to compel, Staff respectfully requests that the deadline for Staff to file its comments on the administrative completeness of the application and notice be extended to September 24, 2020 to allow time for the ALJ to rule on the motion to compel.

III. CONCLUSION

Staff respectfully requests the issuance of an order granting Staff's request and extending the deadline for Staff to file comments on the administrative completeness of the application and notice to September 24, 2020.

Dated: August 26, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Taylor P. Denison

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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 August 26, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Taylor P. Denison

Taylor P. Denison