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**DOCKET NO. 50585**

**APPLICATION OF POLONIA WATER §  
SUPPLY CORPORATION AND THE §  
CITY OF LOCKHART FOR APPROVAL §  
OF A SERVICE AREA CNTRACT §  
UNDER TEXAS WATER CODE § 13.248 §  
AND TO AMEND CERTIFICATES OF §  
CONVENIENCE AND NECESSITY IN §  
CALDWELL COUNTY §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF’S REQUEST FOR EXTENSION AND MOTION TO REQUIRE ELECTRONIC SERVICE.**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Request for Extension and Motion to Require Electronic Service. In support thereof, Staff would show the following:

**I. BACKGROUND**

On February 24, 2020, Polonia Water Supply Corporation (Polonia WSC) and the City of Lockhart (Lockhart) filed an application for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend its certificates of convenience and necessity in Caldwell County.

On March 5, 2020 the Administrative Law Judge in this case issued Order No. 1 giving Polonia WSC and Lockhart until March 13, 2020 to clarify whether the applicant intended for the application to proceed under TWC § 13.248 or TWC § 13.301. Order No. 1 also required Staff to file comments on the administrative completeness of the application and proposed notice and to make a recommendation as to whether this matter should be handled under TWC § 13.248 or § 13.301 by March 25, 2020. Thus, this pleading is timely filed.

**II. REQUEST FOR EXTENSION**

Pursuant to 16 TAC § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Polonia WSC and Lockhart have not made the filing required by Order No. 1 clarifying whether they wish for the application to proceed under TWC § 13.248 or § 13.301. Polonia WSC and Lockhart need to clarify which section of the Texas Water Code they wish to proceed under before Staff can make its recommendation. Thus, Staff requests

that Polonia WSC and Lockhart be given until April 8, 2020 to clarify whether they wish for the application to proceed under TWC § 13.248 or § 13.301. Further, Staff requests that it be given until April 22, 2020 to file comments on the administrative completeness of the application.

### **III. MOTION TO REQUIRE ELECTRONIC SERVICE**

Pursuant to 16 Texas Administrative Code (TAC) § 22.74(c), the presiding officer may require service by email on motion of a party. On March 16, 2020, the Commission issued an Order Suspending Rules in Docket No. 50664, Issues Related to the State Disaster for the Coronavirus Disease 2019. The Order stated in relevant part: “all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer.”<sup>1</sup> Accordingly, Staff requests that the Commission Administrative Law Judge issue an order requiring service by electronic mail in this docket. Staff further requests that the Order direct any party to this proceeding who has not previously provided an email address to file a notice informing the parties of the email address to be used for service.

### **IV. CONCLUSION**

Staff respectfully requests that an order be issued granting Staff's Request for Extension and Motion to Require Electronic Service.

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<sup>1</sup> *Issues Related to the State of Disaster for Coronavirus Disease 2019* (Docket No. 50664) Order Suspending Rules at 1-2 (Mar. 13, 2020).

Dated: March 24, 2020

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 March 23, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish  
Robert Dakota Parish