



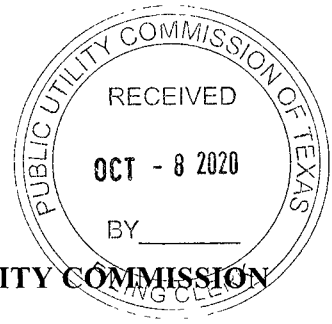
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**TARIFF CONTROL NO. 50702**

**APPLICATION OF DOUBLE § PUBLIC UTILITY COMMISSION**  
**DIAMOND PROPERTIES §**  
**CONSTRUCTION COMPANY FOR A § OF TEXAS**  
**PASS THROUGH RATE CHANGE §**

**COMMISSION STAFF'S SECOND AGREED MOTION FOR EXTENSION OF TIME**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff's Second Agreed Motion for Extension of Time in this proceeding.

**I. BACKGROUND**

On March 25, 2020, Double Diamond Properties Construction Company, dba Rock Creek Resort (Double Diamond), requested approval of a pass-through rate change related to purchased-water-use fees imposed by Northwest Grayson County Water Control and Improvement District No. 1. The proposed pass-through rate change affects customers within the Rock Creek Resort service area for Double Diamond's water certificate of convenience and necessity No. 13235. The proposed pass-through charge will consist of a volumetric charge of \$0.66 per 1,000 gallons and a monthly charge of \$985.22 divided by the number of meter equivalents.

On June 17, 2020, Midway Water Utilities, Inc. (Midway) filed its Change of Party Notice and Motion to Intervene. In its motion, Midway stated that it is the owner of the assets that are the subject of the application and is the real party of interest in this proceeding.<sup>1</sup> On June 25, 2020, the administrative law judge (ALJ) granted Midway's Motion to Intervene. On August 24, 2020, the ALJ ordered Staff to file a recommendation on the application or request a hearing on or before October 9, 2020. The ALJ also ordered Staff to file comments on whether the case should be restyled on or before October 9, 2020. Therefore, this pleading is timely filed.

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<sup>1</sup> Midway's Change of Party Notice and Motion to Intervene at 1 (June 17, 2020).

## **II. REQUEST FOR EXTENSION OF TIME**

Pursuant to 16 Texas Administrative Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any document be extended for good cause. Staff would show that good cause exists to extend the deadline to file its final recommendation or to request a hearing.

Staff has identified certain issues regarding the pass-through rate calculation. In order to provide a final recommendation on the application, Staff needs additional information from Midway. Staff is in communication with counsel for Midway to resolve those issues and obtain the information needed to formulate a final recommendation. Midway has indicated they need additional time to resolve Staff's concerns and provide the necessary documentation. Once Staff receives the necessary documentation, Staff will need additional time to review. As a result, Staff requires additional time to file its final recommendation or request for a hearing. Staff respectfully requests that the deadline to file its final recommendation or request for a hearing be extended until November 9, 2020. Staff has consulted with counsel for Midway who agrees with Staff's request for an extension.

## **III. COMMENTS ON RE-STYLING CASE**

For the reasons stated above, Staff further requests additional time to comment on whether the case should be restyled. Staff respectfully requests that the deadline to file comments on whether the case should be restyled be extended until November 9, 2020. Counsel for Midway indicated that Midway agrees with the requested extension.

## **IV. CONCLUSION**

Staff respectfully requests that its Second Agreed Motion for Extension of Time be granted and that the deadline for Staff's final recommendation or request for a hearing and comments on whether the case should be restyled be extended to November 9, 2020.

Dated: October 8, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Rashmin J. Asher  
Managing Attorney

/s/ Megan Chalifoux  
Megan Chalifoux  
State Bar No. 24073674  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7377  
(512) 936-7268 (facsimile)  
megan.chalifoux@puc.texas.gov

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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 October 8, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Megan Chalifoux  
Megan Chalifoux