



Control Number: 51158



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PUC DOCKET NO. 51158

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PUBLIC UTILITY COMMISSION
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PETITION OF JOHNSTON &	§	THE PUBLIC UTILITY
ASSOCIATES, LLP AND FRANK	§	
CARVALHO TO AMEND	§	
MOUNTAIN PEAK SPECIAL UTILITY	§	COMMISSION OF TEXAS
DISTRICT'S CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	
IN JOHNSON COUNTY BY	§	
STREAMLINED EXPEDITED	§	
RELEASE	§	

**RESPONSE
OF JOHNSTON & ASSOCIATES, LLP AND FRANK CARVALHO
TO
ORDER NO. 8**

COMES NOW, Johnston & Associates, LLP and Frank Carvalho, jointly, ("Petitioners"), and file with the Public Utility Commission ("Commission") this Response to Order No. 8 (which required a Response to Order No. 7).

Petitioners respond to the Administrative Law Judge's inquiries as follows:

1. The legal name and all assumed names, if any, under which each petitioner conducts business, including any assumed name(s), and provide a currently valid certificate(s) of assumed name(s), if applicable.

RESPONSE:

- (a) Frank Carvalho is an individual and has no assumed names.
 - (b) Johnston & Associates, LLP has filed assumed name certificates with the County Clerk in Bexar County (Johnston Legal Group, PC), Harris County (Johnston Legal Group PC), Lubbock County (Johnston Legal Group PC), and Tarrant County (Johnston Legal Group PC). These certificates were attached as Exhibit A to Petitioners Response to Order No. 7 (incorporated herein by reference).
2. The form of business in Texas (e.g., corporation, partnership, sole proprietorship), charter or authorization number, date business was formed, and date change was made, if applicable.

RESPONSE:

- (a) Frank Carvalho is an individual (and therefore, this question is inapplicable).
- (b) Johnston & Associates, LLP is a Texas limited liability partnership. The SOS file number assigned to that registration was when it was originally formed on December 30, 2004 was 800433911. See Exhibit B to Petitioners Response to Order No. 7 (incorporated herein by reference). The limited liability partnership registration of Johnston & Associates, LLP, file number 800433911, expired on 12/30/2010. See Exhibit C to Petitioners Response to Order No. 7 (incorporated herein by reference). Johnston & Associates, LLP was made aware of this expiration upon inquiry after the ALJ issued Order No. 7 in this matter. After obtaining tax clearance from the Comptroller's Office, the General Partner for Johnston & Associates, LLP, Michael Johnston, submitted the documentation to the Secretary of State to re-register Johnston & Associates, LLP. Copies of the Certificate of Filing and the Registration of a Limited Liability Partnership for Johnston & Associates, LLP (file number 803850088) is attached hereto as **Exhibit 1**.¹

- 3. Legal name of parent company, if any, and a description of its primary business interests and the name of any companies affiliated with the applicant with which it does any business. Provide the state and date in which the parent and affiliated companies are registered.

RESPONSE:

- (a) Frank Carvalho is an individual (and therefore, this question is inapplicable).
- (b) Johnston & Associates, LLP has no parent company. Its General partner is Michael Johnston, an individual.

¹ Consistent with Texas Secretary of State requirements, a different file number was assigned to the LLP because of the time that had transpired prior to its re-registration.

Respectfully submitted,

/s/ David J. Tuckfield

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ATTORNEYS FOR PETITIONERS

Johnson & Associates, LLP
Frank Carvalho

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

/s/ David J. Tuckfield

David J. Tuckfield

Exhibit 1



Office of the Secretary of State

CERTIFICATE OF FILING OF

Johnston & Associates, LLP
File Number: 803850088

The undersigned, as Secretary of State of Texas, hereby certifies that the Registration of a Limited Liability Partnership for the above named entity has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

Dated: 12/02/2020

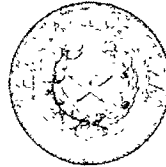
Effective: 12/02/2020



A handwritten signature in black ink, appearing to read "Ruth R. Hughes".

Ruth R. Hughes
Secretary of State

Form 701
(Revised 12/15)
Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709
Filing Fee: See instructions



This space reserved for office use

**Registration of a
Limited Liability Partnership**

Entity Information

1. The name of the partnership is:

Johnston & Associates.LLP

Name must contain the phrase "limited liability partnership" or an abbreviation of that phrase. If the partnership is a limited partnership, the entity name may include the phrase "limited liability limited partnership" or an abbreviation of that phrase.

2. The federal employer identification number of the partnership is: 12020792755

The partnership has not obtained a federal employer identification number at this time.

Number of Partners

3. The number of general partners at the date of registration is: 2

The number of general partners in a general partnership must be at least two.

Principal Office

4. The address of the partnership's principal office in Texas or outside of Texas, as applicable, is:

2434 Rogers Ave. Fort Worth TX US 76109
Street Address *City* *State* *Country* *Zip Code*

Statement of Partnership's Business

5. The partnership's business is:

Legal services and any other legal activity

Effectiveness of Filing (Select either A or B)

A. This document becomes effective when the document is filed by the secretary of state.

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 12 2 20

Partner

For a general partnership, signature of a majority-in-interest of the partners or signature of one or more of the partners authorized by a majority-in-interest. For a limited partnership, signature of one general partner.