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DOCKET NO. 51488

APPLICATION OF CHESTER MAPLES § PUBLIC UTILITY COMMISSION
DBA OLD HIGHWAY 90 WATER §
SERVICE TO AMEND A § OF TEXAS
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN MEDINA AND §
FRIO COUNTIES §

ORDER NO. 10
DENYING WAIVER AND OVERRULING OBJECTION

This Order addresses Chester Maples dba Old Highway 90 Water Service's July 9, 2021 request for waiver and objection to the motion to intervene filed by Yancey Water Supply Corporation.

Old Highway 90 Water requested a waiver of the requirements under 16 Texas Administrative Code (TAC) § 24.235(b)(4). The administrative law judge (ALJ) finds the request unnecessary because the applicant complied with the procedural schedule set forth in Order No. 8.

Regarding Old Highway 90 Water's objection to Yancy WSC's motion to intervene, 16 TAC § 24.235(a)(3) and the text of the notice the applicant mailed to Yancy WSC state that "...the deadline for intervention in a proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer)." Notice was mailed by the applicant on May 19, 2021, and published in *The Devine News* on May 26, and June 2, 2021. Therefore, the deadline to file a motion to intervene in this proceeding was July 2, 2021. Yancy WSC filed its motion to intervene on June 21, 2021. The ALJ finds that Yancy WSC timely filed a motion to intervene and overrules Old Highway 90 Water's objection to Yancy WSC's motion to intervene.

Signed at Austin, Texas the 13 day of July 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE