



Filing Receipt

Received - 2021-11-23 04:12:06 PM
Control Number - 51545
ItemNumber - 44

DOCKET NO. 51545

PETITION OF COMPASS	§	PUBLIC UTILITY COMMISSION
DATACENTERS DFW III, LLC TO	§	
AMEND ROCKETT SPECIAL UTILITY	§	
DISTRICT'S CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
ELLIS COUNTY BY EXPEDITED	§	
RELEASE	§	

JOINT MOTION FOR EXTENSION OF REHEARING

COME NOW, Rockett Special Utility District ("Rockett") and Compass Datacenters DFW III, LLC ("Compass") (collectively, the "Parties"), by and through their attorneys herein, and file this Joint Motion for Extension of Rehearing pursuant to PUC Rule 22.264 and Texas Government Code § 2001.146(e), requesting the Public Utility Commission of Texas (the "Commission") grant an extension related to the Motion for Rehearing in this proceeding. In support thereof, the Parties would respectfully show as follows:

I. BACKGROUND

On November 20, 2020, Compass filed a petition for streamlined expedited release, pursuant to Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h), from Rockett's water CCN No. 10099 (the "Petition"), where the properties subject to the Petition are Tract A being approximately 73 acres and Tract B being approximately 73 acres in Ellis County (collectively, the "Property").

On October 12, 2021, the Commission issued its Order releasing the Property from Rockett's service area under CCN No. 10099.¹

On November 5, 2021, Rockett filed its Motion for Rehearing.

On November 15, 2021, the Commission issued its notice to hear the Motion for Rehearing on December 2, 2021.²

On November 22, 2021, Compass filed its Response to Rockett's Motion for Rehearing.

II. JOINT MOTION TO EXTEND REHEARING

¹ Order at 7, ¶ 1 (Oct. 12, 2021).

² Notice, Item 41 at 1 (Nov. 15, 2021).

The Parties are currently engaged in settlement discussions and are working to resolve all issues in this proceeding, and would prefer to avoid unnecessary costs while the Parties work towards resolution.

Thus, in accordance with PUC Rule § 22.264(d), the Parties request that the Commission grant an extension of the rehearing from December 2, 2021 to January 13, 2022, as authorized by Tex. Gov't Code § 2001.146(e) and (i). The Commission typically has to act on a motion for rehearing within 55 days after the date of the Order, but this deadline to act can be extended up to 100 days by a party's motion.³ Here, the Parties jointly move for the hearing on December 2, 2021 be postponed to January 13, 2022 for good cause to allow the Parties to continue settlement efforts. The Parties anticipate this proposed extension will allow sufficient time to resolve matters regarding settlement.

WHEREFORE, PREMISES CONSIDERED, Rockett and Compass respectfully request the extension for rehearing to January 13, 2022.

Respectfully submitted,

JAMES W. WILSON & ASSOCIATES, PLLC

By: 

Maria Huynh
State Bar No. 24086968
mhuynh@jww-law.com
James W. Wilson
State Bar No. 00791944
jwilson@jww-law.com
103 W. Main Street
Allen, Texas 75013
(972) 727-9904 (Phone)
(972) 755-0904 (Fax)

and

ALLENSWORTH & PORTER, L.L.P.

100 Congress Avenue, Suite 700
Austin, Texas 78701
(512) 708-1250 Telephone
(512) 708-0519 Facsimile

³ Tex. Gov't Code § 2001.146(e).

/s/ Will W. Allensworth

By: _____

Will W. Allensworth
State Bar No. 24073843
wwa@aaplaw.com
Karly A. Houchin
State Bar No. 24096601
kah@aaplaw.com

**ATTORNEYS FOR ROCKETT SPECIAL
UTILITY DISTRICT**

and

**LLOYD GOSSELINK ROCHELLE
& TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 322-5800
(512) 472-0532 (Fax)
jmauldin@lglawfirm.com

/s/ Jamie L. Mauldin

JAMIE L. MAULDIN
State Bar No. 24065694

**ATTORNEYS FOR COMPASS
DATACENTERS DFW III, LLC**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served on the following parties of record on November 23, 2021, by e-mail in accordance with the Commission's Order.⁴

via e-mail: forrest.smith@puc.texas.gov

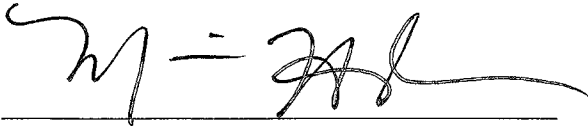
Forrest Smith
Attorney-Legal Division
Public Utility Commission
1701 N. Congress
P.O. Box 13326
Austin, Texas 78711-3326

via e-mail: (addresses as indicated below)

Lloyd Gosselink Rochelle & Townsend, PC
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Jamie L. Mauldin: jmauldin@lglawfirm.com
James F. Parker: jparker@lglawfirm.com
Taylor P. Denison: tdenison@lglawfirm.com
Roslyn M. Dubberstein:
rdubberstein@lglawfirm.com

Attorney for the Commission

Attorneys for Petitioner



Maria Huynh

⁴ *Issues Related to the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (Jul. 16, 2020).