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DOCKET NO. 51614

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PUBLIC UTILITY COMMISSION
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APPLICATION OF EAST HOUSTON §
UTILITIES TO AMEND ITS §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN HARRIS COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

**ORDER NO. 4
REQUIRING RESPONSE TO COMMISSION STAFF'S
MOTION TO DISMISS**

This Order addresses Commission Staff's motion to dismiss the application of East Houston Utilities to amend its certificate of convenience and necessity. In Order Nos. 2 and 3 the administrative law judge (ALJ) found East Houston's application administratively incomplete and ordered East Houston to cure the identified deficiencies. To date, East Houston has not filed anything to cure the outstanding deficiencies in its application or filed a response to the orders finding the application administratively incomplete. Commission Staff stated they have made multiple attempts to contact the applicant to resolve the deficiencies.

On May 6, 2021, Commission Staff filed a motion to dismiss East Houston's application. Commission Staff requested the application be dismissed without prejudice based on East Houston's failure to prosecute under 16 TAC § 22.181(d)(6) and based on East Houston's failure to amend its application so that it is sufficient after repeated determinations that it is insufficient under 16 Texas Administrative Code (TAC) § 22.181(d)(7).

On or before May 26, 2021, East Houston must file a response to Commission Staff's motion to dismiss.¹ Failure to respond to this Order may result in dismissal of the application.

Signed at Austin, Texas the 11 day of May 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



**KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE**

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¹ 16 TAC § 22.181(e)(3).