



## Filing Receipt

**Received - 2023-02-17 01:28:49 PM**

**Control Number - 51877**

**ItemNumber - 69**

**DOCKET NO. 51877**

<b>APPLICATION OF L AND T</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>WATERWORKS LLC AND TEXAS</b>	<b>§</b>	
<b>WATER UTILITIES, LP FOR SALE,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TRANSFER, OR MERGER OF</b>	<b>§</b>	
<b>FACILITIES AND CERTIFICATE</b>	<b>§</b>	
<b>RIGHTS IN FREESTONE AND</b>	<b>§</b>	
<b>HENDERSON COUNTIES</b>	<b>§</b>	

**COMMISSION STAFF’S RESPONSE TO TEXAS WATER UTILITIES, L.P.’S JOINT REQUEST FOR EXTENSION AND REQUEST FOR EXTENSION**

On March 8, 2021, Monarch Utilities I, L.P. (Monarch) – now Texas Water Utilities (TWU) and L and T Waterworks LLC (L and T) (collectively, the Applicants) filed an application for the sale, transfer, or merger of certificate rights in Freestone and Henderson counties. The Applicants seek approval to sell and transfer all of L and T's facilities and certificated service area under water certificate of convenience and necessity (CCN) numbers 12919 and 12993 to Monarch's water CCN number 12983, and the cancellation of L and T's water CCN numbers 12919 and 12993. The applicants also request that a portion of the area requested be dually certificated with CCN number 10793, held by Turlington WSC and a second portion be decertified from CCN number 10791, held by South Freestone County WSC. On January 24, 2023, TWU filed its signed consent form regarding the maps, tariff, and certificate.

On February 15, 2023, TWU filed a joint extension request. On February 16, 2023, the administrative law judge (ALJ) filed Order No. 23, directing the parties, including Staff (Staff) of the Public Utility Commission of Texas (Commission), to file a proposed notice of approval, including findings of fact, conclusions of law, and order paragraphs by February 17, 2023. Therefore, this pleading is timely filed.

**I. COMMISSION STAFF’S RESPONSE TO TWU’S JOINT REQUEST FOR EXTENSION**

On December 19, 2022, the ALJ filed Order No. 22, establishing a deadline for the applicants to file signed consent forms with the Commission by January 24, 2023. The ALJ also ordered the parties to jointly file a proposed notice of approval, including findings of fact, conclusions of law, and ordering paragraphs by February 15, 2023. Earlier this week, counsel for

TWU reached out to counsel for Staff asking for an extension to secure the consent form from the L and T representative. Staff agreed. However, on February 15, 2023, TWU filed a joint request for extension, stating in its conclusion that the parties “respectfully request the issuance of an order granting their request, and extending the deadline to file the Joint Motion to Admit Evidence and Proposed Notice of Approval to February 17, 2023.” Staff did not agree to this. Staff agreed only to an extension of time for the parties to work together to file the outstanding consent form. Understandably, any subsequent deadlines would require commensurate adjustment in line with the ALJ’s previous orders.

## **II. REQUEST FOR EXTENSION**

Under 16 Texas Administrative Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Staff respectfully requests an extension to March 3, 2023, so that the Applicants can continue to work together to file the outstanding consent form. Staff also respectfully requests that the parties’ deadline to file a proposed notice of approval, including findings of fact, conclusions of law, and order paragraphs be extended to March 24, 2023.

## **III. CONCLUSION**

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation.

Dated: February 17, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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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 February 17, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Phillip Lehmann  
Phillip Lehmann