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DOCKET NO. 51170

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APPLICATION OF THE CITY OF § PUBLIC UTILITY COMMISSION  
SWEETWATER TO AMEND A §  
CERTIFICATE OF CONVENIENCE § OF TEXAS  
AND NECESSITY IN NOLAN COUNTY §

**ORDER NO. 6  
SEVERING PROCEEDINGS, RESTYLING, AND  
GRANTING COMMISSION STAFF EXTENSION**

DOCKET NO. 51882

APPLICATION OF THE CITY OF § PUBLIC UTILITY COMMISSION  
SWEETWATER FOR DUAL §  
CERTIFICATION WITH BITTER § OF TEXAS  
CREEK WATER SUPPLY §  
CORPORATION IN NOLAN COUNTY §

**ORDER NO. 1  
SEVERING PROCEEDINGS, ESTABLISHING DOCKET,  
RESTYLING, AND GRANTING COMMISSION STAFF EXTENSION**

**I. Background**

On August 14, 2020, the City of Sweetwater filed an application amend its water certificate of convenience and necessity (CCN) number 10228 in Nolan County seeking to add: (a) 234 acres of uncertificated land to its water CCN number 10228; and (b) 53 acres of land that is within the certificated water service area of Bitter Creek Water Supply Corporation under water CCN number 11149, which requires dual certification.

On March 2, 2021, Sweetwater filed a motion to sever its request to add 234 acres and its request for dual certification for 53 acres into separate proceedings. Sweetwater argued that severance would serve the interest of efficiency, prevent unwarranted expenses and delays, and would not impede or unduly prejudice any of the parties' ability to present their respective cases or respond to Sweetwater's case.

Sweetwater represents that Georgia Pacific and Commission Staff support the motion to sever. To date, no objection to Sweetwater's motion to sever has been filed by Bitter Creek.

## II. Severance

The administrative law judge (ALJ) finds that severance would serve the interest of efficiency and Sweetwater's ability to present its case and the other parties' ability to respond to Sweetwater's case would not be unduly prejudiced. Accordingly, the ALJ grants Sweetwater's motion to sever and orders Docket No. 51170 to be severed into two different dockets, as follows:

1. Docket No. 51170 will address Sweetwater's request to add 234 acres of uncertificated land to its water CCN number 10228 in Nolan County and will be styled *Application of the City of Sweetwater to Amend a Certificate of Convenience and Necessity in Nolan County*;
2. New Docket No. 51882 will address Sweetwater's request to add 53 acres of land that is within the certificated water service area of Bitter Creek under water CCN number 11149 and will be styled *Application of the City of Sweetwater for Dual Certification with Bitter Creek Water Supply Corporation in Nolan County*; and
3. So that the record in both matters will be complete, the ALJ deems all documents filed prior to the date of this Order on the Commission's interchange in Docket No. 51170 to be incorporated by reference and also a part of the record for Docket No. 51882.

## III. Commission Staff's Request for Extension

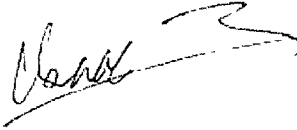
On March 9, 2021, Commission Staff filed a request to extend the time to file a supplemental recommendation on the administrative completeness of the application and to propose a procedural schedule.

The ALJ grants Commission Staff's request for extension.

By April 9, 2021, Commission Staff must: (1) for Docket No. 51170, file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate; and (2) for Docket No. 51882, file comments and a recommendation regarding the appropriate manner in which to proceed and propose a procedural schedule.

Signed at Austin, Texas the 10th day of March 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'Isaac TA', written over a horizontal line.

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ISAAC TA  
ADMINISTRATIVE LAW JUDGE