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DOCKET NO. 51973

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PUBLIC UTILITY COMMISSION
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Petition of Rodney Earl Mohnke, et al *
to Amend HMW Special Utility District's * Before the Public Utility Commission
Water Certificate of Convenience and * of Texas
Necessity in Harris County by Expedited *
Release *

Motion to Extend Filing Date for Response by HMW to Administratively Complete Petition

Comes now the HMW Special Utility District of Harris and Montgomery Counties("HMW"), filing its Motion to Extend Filing Date for its Response to the Administratively Complete Petition (the "Motion"), and states as follows:

I.

This concerns HMW's Motion to Intervene and PUC Orders No. 1 and No.2.

II.

HMW believed in good faith that a Motion to Intervene was required, however, that appears not to be the case under PUC Rule 22.104(a). This appears to dispose in the negative of any objection by Applicants to HMW's standing as a party.

III.

Nevertheless, Applicants complain that HMW's Motion to Intervene is not timely filed as a substantive response to the application. Thus, its response apparently seeks to prevent HMW from lodging any substantive objection to the decertification of a portion of its Certificate of Convenience and Necessity("CCN").

What the Applicants fail to note is that their own application is not administratively complete. They further fail to note that the original procedural deadlines presume an administratively complete application. Applicants also fail to note that the supplement to their application was not served until April 13, 2021, and that actual delivery occurred thereafter.

In addition, a full response by HMW cannot be filed until the application is administratively complete because portions of the response will be affected by the form of application approved by the PUC. In other words, HMW is entitled to know the full scope of the completed application before it is required to file its response to the application.

IV.

HMW has and will assert factual and substantive arguments in opposition to the application. HMW will file a responsive pleading citing its substantive responses on or before June 14, 2021.

V.

To the extent it is warranted to consider whether HMW's filing is not timely, HMW asserts the points noted above and that in addition, (1) no prejudice accrues to the Applicants as the result of HMW's filing, (2) the filing does not disrupt, or even delay, the proceeding, (3) HMW will file a substantive response as set forth above, and (4) the public interest is likely to be served by HMW's full participation in this proceeding. PUC Rule 22.104(d).

VI.

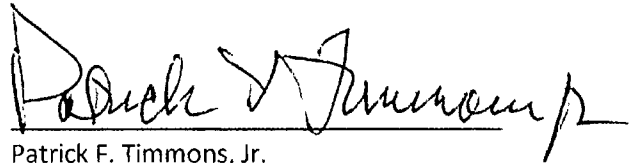
On the latter point, it is astounding that Applicants believe it to be not in the public interest for HMW to assert its substantive rights in opposition to their application. The simple truth is that Applicants desire to shut down any objection, whether legal or factual, to the intended decertification. The PUC should not permit it.

VII.

Accordingly, HMW moves the PUC to confirm HMW's party status and establish new procedural deadlines that establish the date of filing of HMW's substantive responses to the application upon its determination that it is administratively complete.

Wherefore, premises considered, HMW prays that the PUC enter orders as set forth above, and for such other relief as the PUC deems just.

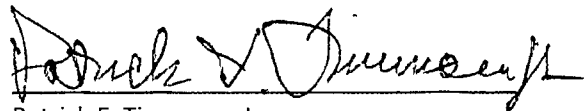
Respectfully submitted,
Law Offices of Patrick F. Timmons, Jr., P.C.



Patrick F. Timmons, Jr.
1503 Buckmann Ct
Houston, Texas 77043
o. (713) 465 7638
f. (713) 465 9527
pft@timmonslawfirm.com

Certificate of Service

I hereby certify that a true copy of the foregoing Motion was served electronically on the Applicants, PUC staff and all other parties, and on the PUC and Applicants by facsimile transmission, on this 10th day of June, 2021, as provided by 16 TAC Section 22.74.



Patrick F. Timmons, Jr.