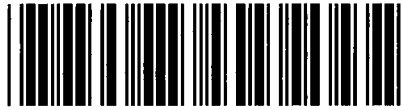




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RECEIVED

PETITION OF RODNEY EARL MOHNKE, STEPHEN LEE MOHNKE, MELVIN MAX MOHNKE, KENNETH WAYNE MOHNKE, KATHLEEN ANN MOHNKE-BLAKELY, AND MEL MOHNKE, TRUSTEES OF THE MOHNKE LIVING TRUST, TO AMEND H-M-W SPECIAL UTILITY DISTRICT'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN HARRIS COUNTY BY EXPEDITED RELEASE

PUBLIC UTILITY COMMISSION OF TEXAS

2021 JUN 29 PM 2:08
UTILITY NAME: H.M.W. SUD
FILING CLERK

ORDER NO. 3
GRANTING INTERVENTION; DENYING REQUESTS TO EXTEND AS PREMATURE; AND CLARIFYING COMMISSION STAFF'S DEADLINE

This Order addresses H-M-W Special Utility District's June 4, 2021 motion to intervene and June 10 and 14, 2021 requests to extend the time to file a substantive response to the application upon a determination that it is found administratively complete.

I. Intervention

H-M-W SUD states a matter of right to intervene as the certificate of convenience and necessity (CCN) holder of the property sought for release by Rodney Earl Mohnke, Stephen Lee Mohnke, Melvin Max Mohnke, Kenneth Wayne Mohnke, Kathleen Ann Mohnke-Blakely, and Mel Mohnke, Trustees of the Mohnke Living Trust dated December 7, 1996 (collectively, Mohnke Trust Trustees). H-M-W SUD contends that it will be deprived of its possession and ownership if the petition is granted; therefore, H-M-W SUD states a justiciable interest that may be adversely affected by the outcome of the proceeding.

On June 7, 2021, Mohnke Trust Trustees requested that H-M-W SUD's motion to intervene be denied based upon its late filing, subsequent delay in a final resolution to this case, and cause for delay in sewer service to the property petitioned for release.

II. H-M-W SUD's Requests for Extension

H-M-W SUD requests to file a substantive response to the petition after the petition is determined to be administratively complete as permitted by 16 Texas Administrative Code

§ 24.245(h)(6). The response deadline for H-M-W SUD established in Order No. 1 permits a CCN holder an opportunity to file an initial response to the petition, but is not intended to be the CCN holder's only chance to respond to the petition. As of the date of this Order, the instant petition has not been found administratively complete; therefore, H-M-W SUD's requests to extend the time to respond to an administratively complete petition are premature.

For the above reasons, H-M-W SUD has established a justiciable interest that may be affected by the outcome of this proceeding. Accordingly, H-M-W SUD's motion to intervene is granted.

In Order No. 2 filed on May 4, 2021, the administrative law judge established a deadline of June 27, 2021, for Commission Staff to file a supplemental recommendation on sufficiency of the petition and notice, and propose procedural schedule. Because June 27, 2021, is a Sunday, the deadline for Commission Staff's supplemental recommendation is moved to Monday, June 28, 2021.

Signed at Austin, Texas the 25th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**