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DOCKET NO. 52090

PETITION OF REDBIRD DEVELOPMENT, LLC	§	BEFORE THE
TO AMEND DOBBIN PLANTERSVILLE	§	PUBLIC UTILITY COMMISSION
WATER SUPPLY CORPORATION’S	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN MONTGOMERY COUNTY	§	
BY EXPEDITED RELEASE	§	

AGREED THIRD MOTION FOR EXTENSION

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Dobbin Plantersville Water Supply Corporation (“Dobbin Plantersville” or Intervenor”) and files this Agreed Third Motion for Extension and would show the following:

BACKGROUND

On May 6, 2021, Petitioner filed a petition with the Public Utility Commission of Texas (PUC) for expedited release from Dobbin Plantersville Water Supply Corporation’s (Dobbin Plantersville) water certificate of convenience and necessity (CCN) No. 11052 pursuant to Texas Water Code § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245.

On June 4, 2021, Dobbin Plantersville filed a motion to intervene, which was subsequently granted. Dobbin Plantersville filed a response to the petition and a Motion to Dismiss.

On July 13, 2021, Redbird Development, Petitioner, filed requests for information addressed to Dobbin Plantersville. On August 10, which was within 20 days of the requests, Dobbin Plantersville filed a partial response to the requests for information.

On August 10, Dobbin Plantersville filed a motion to extend until August 24 the deadline to respond to Redbird's requests for information, which was approved by the ALJ in Order No. 7. An additional extension was requested on August 20, which was granted by the ALJ in Order No. 9, extending the deadline to September 7, 2021; therefore, this agreed third motion for extension is timely filed in regard to the response to RFIs.

REQUEST FOR EXTENSION

Under 16 TAC § 22.4(b), a party may request that the time allowed for filing any document be extended with a showing of good cause and that the need for the extension is not caused by the neglect, indifference, or lack of diligence of the party making the motion. In this instance, Dobbin Plantersville has worked diligently to prepare its response to the requests for information and supplemented its response whenever information became available. The Intervenor's General Manager was the primary preparer and sponsor of the responses, with assistance of Steve Duncan, consulting engineer. Counsel began working with another staff person who had recovered, but before information could be gathered, the General Manager has expired. Under these circumstances it will take longer to complete the response.

Dobbin Plantersville has shown good cause for an extension and has shown that the need for the extension is not caused by its neglect, indifference, or lack of diligence.

CERTIFICATE OF CONFERENCE

Petitioner conferred with the parties by telephone and e-mail on September 3, 2021, regarding this Request. Redbird Development and Commission Staff agree to the proposed extension.

CONCLUSION AND PRAYER

Wherefore, the Dobbin Plantersville respectfully requests that the Commission issue an order extending the deadline for responding to Redbird Development's requests for information until September 21.

Respectfully submitted,

Mary K. Sahs

MARY K. SAHS, P.C.

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**ATTORNEY FOR DOBBIN
PLANTERSVILLE WATER
COMPANY**

CERTIFICATE OF SERVICE

Pursuant to Docket No. 50664, Second Order Suspending Rules (July 16, 2020) the undersigned hereby certifies that a copy of foregoing Agreed Second Motion for Extension was served on all parties of record in this proceeding on September 3, 2021, by electronic mail.

Mary K. Sahs

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