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DOCKET NO. 52090

RECEIVED

**PETITION OF REDBIRD
DEVELOPMENT, LLC TO AMEND
DOBBIN PLANTERSVILLE WATER
SUPPLY CORPORATION'S
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN MONTGOMERY
COUNTY BY EXPEDITED RELEASE**

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PUBLIC UTILITY COMMISSION

2021 JUN 9 AM 11:24

OF TEXAS

FILED

**ORDER NO. 2
REQUESTING CLARIFICATION FROM COMMISSION STAFF, GRANTING
INTERVENTION, AND GRANTING THE CCN HOLDER'S REQUEST FOR
EXTENSION**

In this proceeding, Redbird Development, LLC seeks to amend Dobbin Plantersville Water Supply Corporation's water certificate of convenience and necessity in Montgomery County by streamlined expedited release.

A. The Need for Clarification from Commission Staff

On June 7, 2021, Commission Staff filed its recommendation that the petition be found administratively incomplete. The administrative law judge (ALJ) is unsure about the scope of Commission Staff's concerns about the petition. First, the memorandum by Patricia Garcia states that more information is needed about the relationship between Redbird and Conservative Investments, Inc. The ALJ disagrees and is satisfied that the deed in question adequately demonstrates Redbird's ownership of the tract in question. Thus, as to this issue, the ALJ is prepared to overrule Commission Staff and find that the petition is administratively complete.

Second, however, Ms. Garcia's memo states that her conclusion that the application is incomplete is "based on the mapping review by Gary Horton" and her technical and managerial review. By June 23, 2021, Commission Staff must file a supplemental recommendation explaining whether there are any mapping deficiencies or other deficiencies with the petition (excluding the issue of Conservative Investments, discussed above).

B. Intervention

On June 4, 2021, Dobbin Plantersville moved to intervene. No party objected to the motion. Dobbin Plantersville has established that it has a justiciable interest which may be

adversely affected by the outcome of the proceeding. Therefore, the ALJ grants the motion to intervene.

C. Extension

In light of Commission Staff's assertion that the petition is administratively incomplete, Dobbin Plantersville moved, on June 8, 2021, for an extension of its deadline to file a response to the petition. The motion is granted. By June 30, 2021, Dobbin may submit a response to the petition, verified by a notarized affidavit.

Signed at Austin, Texas the 9th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE