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**DOCKET NO. 52132**

**APPLICATION OF LUMBERTON  
MUNICIPAL UTILITY DISTRICT TO  
AMEND ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
HARDIN COUNTY**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**ORDER NO. 1  
REQUIRING REVISED APPLICATION, COMMENTS ON  
ADMINISTRATIVE COMPLETENESS AND PROPOSED  
NOTICE, AND ADDRESSING OTHER PROCEDURAL MATTERS**

**I. Application**

This Order addresses the May 17, 2021 application filed by Lumberton Municipal Utility District to amend its water certificate of convenience and necessity (CCN) number 10929 in Hardin County. Lumberton MUD seeks to include uncertificated area to include customers it currently serves and potential customer who has requested service.

**II. Requiring Revised Application**

Lumberton MUD seeks to amend its water CCN; however, Lumberton MUD submitted its application to the Commission using the application form to amend an electric CCN's service area boundary. By June 2, 2021, Lumberton MUD must submit a revised application using the form to amend a water CCN.

**III. Requiring Comments on the Administrative Completeness of the Revised Application and Notice**

By July 2, 2021, Commission Staff must file comments on the administrative completeness of the application and proposed notice. By July 2, 2021, Lumberton MUD and Commission Staff must also file a recommendation regarding how to proceed with the application and propose a procedural schedule.

**III. Discovery**

Discovery may proceed informally; however, objections to requests for information (RFIs) must be filed and served within 10 days of receiving the RFI. Objections must include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be filed and served within five

working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

#### **IV. Filings**

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission's filing clerk in accordance with 16 Texas Administration Code (TAC) § 22.71. **In light of the Commission's Second Order entered in Docket No. 50664, this requirement will be considered satisfied if pleadings are filed with the Commission through the Interchange on the Commission's website as long as the Commission's Second Order is in effect.**<sup>1</sup>

**Service of pleadings is typically governed by 16 TAC § 22.74. However, as long as the Commission's Second Order remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange at: <https://interchange.puc.texas.gov>.**

All parties are required to provide their current addresses, **e-mail addresses**, telephone and fax numbers, if available, to all other parties and to the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. The **e-mail addresses**, telephone and fax numbers will be included on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

#### **V. Ex Parte Communications**

Ex parte communications with the ALJ are prohibited under 16 TAC § 22.3(b)(2). Parties must communicate with the ALJ only through written documents filed with the Commission's

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<sup>1</sup> See *Issues Related the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (Jul. 16, 2020).

filing clerk and served on all parties. Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

**Signed at Austin, Texas the 18 day of May 2021.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, reading "Katie Moore Marx". The signature is written in a cursive, flowing style. It is positioned above a horizontal line that serves as a separator from the printed name below.

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**KATIE MOORE MARX**  
**ADMINISTRATIVE LAW JUDGE**