



## Filing Receipt

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<b>APPLICATION OF EVAN STANTON</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>FOR SALE, TRANSFER, OR MERGER</b>	<b>§</b>	
<b>OF EXEMPT UTILITY</b>	<b>§</b>	<b>OF TEXAS</b>
<b>REGISTRATION</b>	<b>§</b>	

**COMMISSION STAFF’S COMMENTS ON FURTHER PROCESSING**

On January 15, 2021, Garth Duncan and Rhonda Hardin and Evan Staton (collectively, Applicants) filed what appears to be an application for the Sale, Transfer, or Merger (STM) of an exempt utility and associated registration number N0059.

On August 31, 2021, the administrative law judge (ALJ) filed Order No. 3, requiring the Applicants or the Staff of the Public Utility Commission of Texas (Staff), with the permission of the Applicants, to file comments regarding whether the Applicants intend to proceed in a manner consistent with Staff’s July 30, 2021 recommendation by September 14, 2021. Therefore, this pleading is timely filed.

**I. COMMENTS ON FURTHER PROCESSING**

Staff has continued to make attempts to contact the Applicants by phone and by email, but as of the date of this filing has not received a response as to the manner in which the Applicants would like to proceed. Staff is aware of communications between Mr. Staton and Tracy Montes, Infrastructure Division. However, none of these messages address the proposal raised in Staff’s July 30, 2021 recommendation, and Staff has not yet successfully made contact with Garth Duncan and Rhonda Hardin. Staff will continue to work to determine the manner in which the Applicants wish to proceed. Accordingly, Staff requests the Applicants be given an additional 14 days to respond to Order No. 3, and that a deadline of September 28, 2021 be set for the Applicants or Staff, with the permission of the Applicants, to file a statement on the manner in which the Applicants would like to proceed. If the Applicants remain unresponsive to calls and emails, Staff will file a motion to dismiss under 16 Texas Administrative Code § 22.181(d)(6).

## II. CONCLUSION

For the reasons discussed above, Staff respectfully requests that the Applicants be provided additional time to respond to Order No. 3.

Dated: September 14, 2021

Respectfully submitted,

### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

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### **CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on September 14, 2021 in accordance with the Order Suspending Rules, filed in Project No. 50664.

/s/ John Harrison  
John Harrison