



## **Filing Receipt**

**Filing Date - 2023-10-31 02:06:07 PM**

**Control Number - 52445**

**Item Number - 84**

**DOCKET NO. 52445**

<b>APPLICATION OF HYDROTEX, LLC</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>FOR A CERTIFICATE OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY AND</b>	<b>§</b>	<b>OF TEXAS</b>
<b>FOR DECERTIFICATION OF A</b>	<b>§</b>	
<b>PORTION OF SOUTHERN HORIZON</b>	<b>§</b>	
<b>DEVELOPMENT'S CERTIFICATE OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>LIBERTY COUNTY</b>	<b>§</b>	

**COMMISSION STAFF'S RESPONSE TO ORDER NO. 20 AND REQUEST FOR EXTENSION**

**I. INTRODUCTION**

On August 18, 2021, HydroTex, LLC (HydroTex) filed an application to obtain a water certificate of convenience and necessity in Liberty County under Subchapter G of Texas Water Code Chapter 13.

On October 16, 2023, the administrative law judge (ALJ) filed Order No. 20, directing the Staff (Staff) of the Public Utility Commission (Commission) to file a supplemental response along with a revised certificate and request that its response to Order No. 19 and 20, including a revised certificate, be admitted into evidence, by October 31, 2023. Therefore, this pleading is timely filed.

**II. REVISED CERTIFICATE**

Staff has attached a revised certificate to this pleading that resolves the issues with the previous version. Staff respectfully requests that the revised certificate be admitted into evidence.

**III. REQUEST FOR EXTENSION OF TIME**

Under 16 Texas Administrative Code (TAC) § 22.4(b), a party may request that the time allowed for filing any documents be extended for good cause. Staff's expert is currently working on a memorandum to address the factors contained in 16 TAC § 24.245(d)(2); however, the expert requires additional time to finalize the memorandum.

Therefore, Staff respectfully requests an extension of time until November 14, 2023, to file a response to Order No. 19 and 20 addressing the 16 TAC § 24.245(d)(2) factors.

**IV. CONCLUSION**

For the reasons above, Staff respectfully requests the entry of an order extending Staff's deadline to November 14, 2023, to file a response to Order No. 19 and 20 addressing the 16 TAC § 24.245(d)(2) factors.

Dated: October 31, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Marisa Lopez Wagley  
Division Director

/s/ John Harrison  
John Harrison  
State Bar No. 24097806  
Andy Aus  
State Bar No. 24077782  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7277  
(512) 936-7268 (facsimile)  
John.Harrison@puc.texas.gov

**DOCKET NO. 52445**

**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on October 31, 2023, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ John Harrison  
John Harrison



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

## **Southern Horizons Development Inc.**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Southern Horizons is entitled to this

### **Certificate of Convenience and Necessity No. 12863**

to provide continuous and adequate water utility service to that service area or those service areas in Liberty and Montgomery counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52445 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Southern Horizons to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.