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DOCKET NO. 52502

APPLICATION OF TEXAS WATER	§	PUBLIC UTILITY COMMISSION
SYSTEMS, INC. AND UNDINE	§	
DEVELOPMENT, LLC FOR SALE,	§	OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN GREGG, HENDERSON,	§	
SMITH, AND UPSHUR COUNTIES	§	

COMMISSION STAFF’S REQUEST FOR EXTENSION AND CLARIFICATION

On September 2, 2021, Texas Water Systems, Inc. (TWS) and Undine Development, LLC (Undine) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Gregg, Henderson, Smith, and Upshur counties. Specifically, Undine, Water Certificate of Convenience and Necessity (CCN) No. 12407, seeks approval to acquire facilities and to transfer a portion of the water service area from TWS under Water CCN No. 12473. In addition, Undine appears to be requesting to amend its CCN with uncertificated service area and with area that would require dual certification with portions of Pritchett Water Supply Corporation’s CCN No. 10478 and Crystal Systems Texas’s CCN No. 10804. Applicants filed supplemental information on September 14, 2021, September 27, 2021, November 4, 2021, November 5, 2021, December 7, 2021, December 23, 2021, and January 24, 2022.

On January 7, 2022, the administrative law judge filed (ALJ) an order titled “Order No. 2 – Granting Extension and Revising Deadline,” establishing a deadline of January 28, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file supplemental comments on the administrative completeness of the application and proposed notice, and to propose a procedural schedule, if appropriate. Therefore, this pleading is timely filed.

I. REQUEST FOR EXTENSION

Pursuant to 16 TAC § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Staff requires additional time to review the information filed on January 24, 2022. Accordingly, Staff requests that the deadline to file supplemental comments on the administrative completeness of the application be extended to February 7, 2022.

II. REQUEST FOR CLARIFICATION

As indicated above, On January 7, 2022, the ALJ filed an order titled “Order No. 2 – Granting Extension and Revising Deadline,” even though an “Order No. 2” and “Order No. 3” were previously filed in the docket on October 8, 2021 and on November 9, 2021 respectively. Given such circumstances, Staff believes that it was likely the intention of the ALJ to title the January 7, 2022 order, “Order No. 4 – Granting Extension and Revising Deadline,” to sequentially follow the other orders issued in the docket. Therefore, Staff respectfully requests clarification on the numbering of the January 7, 2022 order.

III. CONCLUSION

Staff respectfully requests an order consistent with the foregoing requests.

Dated: January 27, 2022

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 January 27, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Jenna Keller
Jenna Keller