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DOCKET NO. 53262

PETITION OF BLACKLAND WATER § PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION AND THE CITY §
OF ROCKWALL FOR APPROVAL TO §
AMEND CERTIFICATE OF § OF TEXAS
CONVENIENCE AND NECESSITY UNDER §
TEXAS WATER CODE § 13.255(a) IN §
ROCKWALL COUNTY

**COMMISSION STAFF’S RESPONSE TO PETITIONERS APPEAL OF ORDER NO. 6
AND REQUEST FOR RECONSIDERATION**

On September 10, 2021, Blackland Water Supply Corporation (Blackland WSC) and the City of Rockwall (Rockwall) (collectively, Petitioners) filed a petition to amend Blackland WSC’s water certificate of convenience and necessity (CCN) No. 11305 under Texas Water Code (TWC) § 13.255(a) in Rockwall County, Texas in Docket No. 52551. In Order No. 2 in Docket No. 52551, the administrative law judge (ALJ) severed the CCN amendment proceeding, which became Docket No. 53262, the current proceeding. On March 25, 2022, the Petitioners filed the petition in Docket No. 53262 in accordance with Order No. 2 in Docket No. 52551. On May 13, 2022, the Applicants filed supplemental information.

On August 15, 2022, the Petitioners filed a Joint Appeal of Order No. 6 and Request for Reconsideration (Appeal). In accordance with 16 Texas Administrative Code (TAC) § 22.78, a party must file a responsive pleading within five working days after the receipt of the pleading to which the response is made. Staff (Staff) of the Public Utility Commission of Texas (Commission) files this response to the Petitioners’ Appeal. Therefore, this pleading is timely filed.

I. RESPONSE

Staff has reviewed the Petitioners’ Appeal of Order No. 6 and Request for Reconsideration. Staff takes no position at this time. Notwithstanding, Staff reaffirms its previously filed Amended Recommendation on Administrative Completeness and Notice and Proposed Procedural Schedule.¹

¹ Commission Staff’s Amended Recommendation on Administrative Completeness and Notice and Proposed Procedural Schedule (May 25, 2022).

II. CONCLUSION

Staff requests the entry of an order consistent with the foregoing recommendation.

Dated: August 19, 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 August 19, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Phillip Lehmann
Phillip Lehmann