



## Filing Receipt

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<b>APPLICATION OF CRYSTAL</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SYSTEMS TEXAS, LLC AND UNDINE</b>	<b>§</b>	
<b>TEXAS, LLC FOR SALE, TRANSFER,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OR MERGER OF FACILITIES AND</b>	<b>§</b>	
<b>CERTIFICATE RIGHTS IN SMITH</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S REQUEST FOR EXTENSION AND GOOD CAUSE  
EXCEPTION**

**I. INTRODUCTION**

On July 6, 2022, Crystal Systems Texas, LLC (Crystal Systems) and Undine Texas, LLC (Undine) (jointly, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in Smith County. Applicants seek approval to sell and transfer Crystal System’s facilities and all of Crystal System’s certificated area under CCN No. 10804 to Undine.

On February 24, 2023, the administrative law judge filed Order No. 10, instructing parties to file a joint motion to admit evidence and proposed order approving sale by March 24, 2023. Therefore, this pleading is timely filed.

**II. REQUEST FOR EXTENSION AND GOOD CAUSE EXCEPTION**

Under 16 Texas Administrative Code (TAC) § 22.4(b), a party may request that the time allowed for the filing of any documents be extended for good cause. In Staff’s Recommendation on the Transaction, Staff recommended that the Commission does not have the authority to change the rates in this application, because the service area was located entirely within the City of Hideaway’s city limits.<sup>1</sup> Undine has since provided Staff with evidence that a portion of the service area is outside of the City of Hideaway’s city limits. Staff thus needs time to verify this and potentially file a revised recommendation on the transaction. Accordingly, Staff requests an extension to May 5, 2023, for Staff to either file a revised recommendation on the transaction or a joint proposed order. In Order No. 10, the ALJ also recognized April 3, 2023, as the 120-day deadline for the Commission to approve the sale or require a hearing. Although Staff does not

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<sup>1</sup> Commission Staff’s Recommendation on the Transaction at 1 (Mar. 8, 2023).

anticipate requesting a hearing, Staff also hereby requests a good cause exception under 16 TAC § 22.5(b) to the 120-day deadline in 16 TAC § 24.239(a). Staff has conferred with counsel for Undine and is authorized to represent they are unopposed to the extension request.

### **III. CONCLUSION**

Staff respectfully requests the entry of an order extending Staff's deadline to file either a revised recommendation on the transaction or a joint proposed order to May 5, 2023. Staff also respectfully requests that a good cause exception to the 120-day deadline in 16 TAC § 24.239(a) be granted.

Dated: March 23, 2023

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 on March 23, 2023 in accordance with the Second Order Suspending Rules filed in Project No. 50664.

/s/ Ian Groetsch

Ian Groetsch