



Filing Receipt

Filing Date - 2023-11-13 10:44:59 AM

Control Number - 54019

Item Number - 75

DOCKET NO. 54019

APPLICATION OF CSWR-TEXAS	§	
UTILITY OPERATING COMPANY, LLC	§	
AND VILLE D’ALSACE WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY, LLC FOR SALE, TRANSFER,	§	
OR MERGER OF FACILITIES AND	§	OF TEXAS
CERTIFICATE RIGHTS IN MEDINA	§	
COUNTY	§	

**RESPONSE IN OPPOSITION TO STAFF’S
REQUEST FOR EXTENSION OF TIME**

CSWR-Texas Utility Operating Company, LLC (CSWR-Texas), files this Response in Opposition to Staff’s Request for Extension of Time.

On November 10, 2023, the deadline to file recommendations on the capital improvement plan, Staff of the Public Utility Commission of Texas (“Staff”) filed a Request for Extension of Time to review CSWR-Texas’s capital improvement plan documents because “CSWR-Texas included supplemental notice information and information regarding customers outside of the CCN area.” To the contrary, CSWR-Texas did not file new supplemental notice information as part of its capital improvement plan.

CSWR-Texas’s supplemental notice pleading from July 28, 2023 was included as Attachment 2 to the capital improvement plan documents to show when CSWR-Texas first provided the estimated timeline for completion of the capital improvements. The filing date of July 28, 2023 is clearly shown on the document. Staff filed a response to that pleading on August 24, 2023, and the ALJ ruled on the supplemental notice issues on August 28, 2023, in Order No. 11. Thus, these issues have been resolved and there is no need for Staff to have any additional time to review the documents that they have had since October 30. Attachment 1 to this response shows the email chain between Staff and the attorney for CSWR-Texas on November 10, 2023 explaining the reason for Attachment 2.

Because there are no pending supplemental notice issues in this case, the basis for Staff’s extension request does not exist. Therefore, CSWR-Texas respectfully requests that the ALJ deny Staff’s request for an extension of time and order Staff to file its comments today.

Respectfully submitted,

**ATTORNEYS FOR CSWR-TEXAS UTILITY
OPERATING COMPANY, LLC**

L. Russell Mitten
General Counsel
Central States Water Resources, Inc.
1630 Des Peres Rd., Suite 140
St. Louis, Missouri 63131
(314) 380-8595
(314) 763-4743 (fax)



Evan D. Johnson
State Bar No. 24065498
Wendy K. L. Harvel
State Bar No. 00796719
Coffin Renner LLP
1011 W. 31st Street
Austin, Texas 78705
(512) 879-0900
(512) 879-0912 (fax)
evan.johnson@crtxlaw.com
wendy.harvel@crtxlaw.com

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 November 13, 2023 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.



Wendy K. L. Harvel

Subject: 54019 - CSWR and Ville D'Alsace - STM - Extension Needed due to notice

From: Wendy Harvel

Sent: Friday, November 10, 2023 2:40 PM

To: Margaux Fox <Margaux.Fox@puc.texas.gov>

Subject: RE: 54019 - CSWR and Ville D'Alsace - STM - Extension Needed due to notice

Margaux,

We did not file supplemental notice with this pleading. Check the signature date. That was from months ago. We reattached the pleading to show the first time we had filed the timeline.

Wendy

From: Margaux Fox <Margaux.Fox@puc.texas.gov>

Sent: Friday, November 10, 2023 10:41 AM

To: Wendy Harvel <wendy.harvel@crtxlaw.com>

Subject: 54019 - CSWR and Ville D'Alsace - STM - Extension Needed due to notice

Good morning Wendy,

I am going to need to file an extension request in Docket No. 54019. I was not aware that CSWR was filing supplemental notice information, and I need more time to think of how we are going to handle that this late in the game. I also am not seeing where the supplemental notice affidavit (Exhibit B) is with the supplemental information provided. Can you point me to where that is?

Staff also needs to internally discuss the customers outside of the CCN area and how we are going to address that in this application.

I am in a training all day next Tuesday-Thursday, so I am going to request an extension until the following Monday (November 20).

Please let me know if you have any questions.

Best,

Margaux



Margaux Fox

Managing Attorney, Legal Division

Public Utility Commission of Texas

W: (512)936-7021 | Margaux.Fox@puc.texas.gov

The information transmitted by this email is intended only for the person or entity to which it is addressed. This email may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message, be aware that any use, review, retransmission, distribution, reproduction, or any action taken in reliance upon this message is strictly prohibited. If you received this in error, please contact the sender and delete the material from all computers.

Any opinions stated in this email may change with additional information and analysis, and any opinions stated in this email do not necessarily represent an official Commission Staff opinion or Commission decision unless explicitly described as such.