



Filing Receipt

Filing Date - 2023-07-21 12:44:29 PM

Control Number - 54205

Item Number - 40

DOCKET NO. 54205

APPLICATION OF TFT UTILITIES,	§	PUBLIC UTILITY COMMISSION
LLC AND THE FALLS MUNICIPAL	§	
UTILITY DISTRICT FOR SALE,	§	OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND TO OBTAIN	§	
WATER AND SEWER CERTIFICATES	§	
OF CONVENIENCE AND NECESSITY	§	
IN COLORADO COUNTY	§	

COMMISSION STAFF'S REQUEST FOR EXTENSION

On October 13, 2022, TFT Utilities, LLC (TFT Utilities) and The Falls Municipal Utility District (The Falls MUD) (collectively, the Applicants) filed an application for approval of the sale, transfer, or merger (STM) of facilities and customers and for TFT Utilities to obtain new certificates of convenience and necessity (CCN) in Colorado County.

On June 30, 2023, the administrative law judge (ALJ) filed Order No. 8, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of the Applicants' supplemental proof of notice by July 21, 2023. Therefore, this pleading is timely filed

I. REQUEST FOR EXTENSION

On July 12, 2023, Staff filed a request for clarification or alternatively for expedited of certification of issues so that Staff could receive clarity or guidance on the information that is needed before Staff could adequately consider the Applicants' supplemental proof of notice and make an appropriate recommendation. However, no such clarification has been provided and unfortunately, despite also simultaneously filing the pleading in Docket No. 53920,¹ no guidance was provided by the Commissioners on these issues at the open meeting on July 20, 2023 in their discussion of Texas Water Utilities, L.P.'s (TWU) appeal of Interim Order No. 21 in that proceeding.²

¹ *Application of Texas Water Utilities, LP and Creek Water Utility LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Marion County*, Docket No. 53920, Letter Regarding Clarification Request in Docket No. 54205 (Jul. 12, 2023).

² *Id.*, Texas Water Utilities, L.P.'s Appeal of Interim Order No. 21 (Jun. 15, 2023).

After considering the issues further and the implications of the Commissioners' ruling on TWU's appeal, Staff needs more time to determine how to proceed on its recommendation and whether it needs clarification to make a recommendation. As such, Staff respectfully requests an extension until July 28, 2023 to file a recommendation on the sufficiency of the Applicants' supplemental proof of notice.

II. CONCLUSION

For the reasons detailed above, Staff respectfully requests the entry of an order granting the extension.

Dated: July 21, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
Division Director

Sneha Patel
Managing Attorney

/s/ Scott Miles
Scott Miles
State Bar No. 24098103
Margaux Fox
State Bar No. 24120829
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)
Scott.Miles@puc.texas.gov

DOCKET NO. 54205

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 July 21, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Scott Miles
Scott Miles