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DOCKET NO. 54629

APPLICATION OF HEARTHSTONE	§	BEFORE THE PUBLIC UTILITY
WATER, INC., THE KAUFFMAN	§	
FAMILY LIVING TRUST, DATED	§	COMMISSION OF TEXAS
APRIL 9, 2015, DISCIPLE ASSET	§	
HOLDINGS, LP, MALAKOFF FAMILY	§	
HOLDINGS, LP, AND TRITON TEXAS	§	
HOLDINGS, LLC FOR APPROVAL OF	§	
CHANGES IN OWNERSHIP UNDER	§	
TEXAS WATER CODE § 13.302	§	

HEARTHSTONE WATER, INC.’S REQUEST TO MODIFY DEADLINE

On February 7, 2023, Hearthstone Water, Inc., a Texas corporation (Hearthstone), together with and as authorized by The Kauffman Family Living Trust, Dated April 9, 2015, Disciple Asset Holdings, LP, and Malakoff Family Holdings, LP (Sellers) and Triton Texas Holdings LLC, a Texas limited liability company (TTH) (collectively, the Applicants), filed the application that is the subject of this docket (Application). Order No. 1 established March 29, 2023 as the deadline for Commission Staff (Staff) to file comments on the administrative completeness of the Application.¹ Hearthstone hereby requests on behalf of itself and the other Applicants that Staff’s deadline be shortened. In support, Hearthstone shows as follows.

The Applicants would like to obtain approval for the transaction proposed in the Application as soon as possible. Applications filed under Chapter 24 of the Commission rules, such as this one, are generally required to “be reviewed for administrative completeness within 30 days from the date the application is file stamped by the commission’s Central Records office.”² Therefore, Hearthstone submits that the deadline for Staff’s initial review should be March 9, 2023

¹ Order No. 1 Requiring Comments on Administrative Completeness, Proposed Notice, Addressing Other Procedural Matters, and Entering Protective Order (Feb. 8, 2023).

² 16 Texas Administrative Code (TAC) § 24.8(a). The Application was filed under Texas Water Code (TWC) § 13.302 and 16 TAC § 24.243.

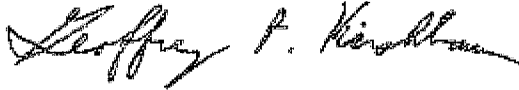
instead of March 29, 2023. Hearthstone respectfully requests that the procedural schedule for this docket be revised accordingly.

CONCLUSION

For the reasons described above, Hearthstone respectfully requests the presiding Commission Administrative Law Judge (ALJ) adopt a modified procedural schedule that would move Staff's deadline to comment on the administrative completeness of the Application to March 9, 2023.

Respectfully submitted,

TERRILL & WALDROP

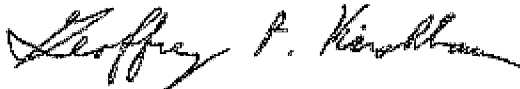
By: 

Geoffrey P. Kirshbaum
State Bar No. 24029665
810 West 10th Street
Austin, Texas 78701
Tel: (512) 474-9100
Fax: (512) 474-9888
gkirshbaum@terrillwaldrop.com

ATTORNEYS FOR HEARTHSTONE WATER, INC.

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 February 14, 2023, in accordance with the Orders Suspending Rules issued in Project No. 50664.



Geoffrey P. Kirshbaum