

**SOAH DOCKET NO. 582-08-1023
TCEQ DOCKET NO. 2007-1867-UCR**

APPLICATION FOR A WATER	§	BEFORE THE STATE OFFICE
RATE/TARIFF CHANGE OF TEXAS	§	
LANDING UTILITIES,	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY NO. 11997 IN POLK	§	
COUNTY, APPLICATION NO. 35838-	§	OF
R AND FOR A SEWER/RATE TARIFF	§	
CHANGE, CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	
NO. 20569 IN POLK COUNTY,	§	
APPLICATION NO. 35840-R	§	ADMINISTRATIVE HEARINGS

**UNOPPOSED MOTION FOR EXTENSION OF TIME OF
TEXAS LANDING UTILITIES**

TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

COMES NOW, Texas Landing Utilities (“TLU” or “Applicant”) and requests the Commission grant this Motion for Extension of Time to file Exceptions to the Proposal for Decision on Remand and in support thereof would show as follows.

1. On May 9, 2011, Administrative Law Judge Keeper issued his Proposal for Decision on Remand (“PFD”).
2. In his cover letter to the Commission, ALJ Keeper set a deadline for filing Exceptions to the PFD for May 31, 2011 and a deadline for Replies to Exceptions to the PFD for June 10, 2011.
3. On or about May 23, 2011, Geoff Kirshbaum, counsel for TLU, injured his back. Mr. Kirshbaum sought medical assistance and is currently precluded from his normal course of action due to his injury. Should Mr. Kirshbaum’s injuries worsen, it may become necessary for Mr. Kirshbaum to seek additional medical testing on May 31, 2011. For these reasons, counsel for TLU respectfully requests a three-day extension of the deadline to file Exceptions to the PFD until June 3, 2011.

4. Counsel for TLU conferred, or attempted to confer, with counsel for the TCEQ Executive Director (“ED”), the TCEQ Office of Public Interest Counsel (“OPIC”) and Bill Bryan, representative for the Protestants, regarding this Motion. Counsel for the ED and Mr. Bryan agreed to the extension requested in this Motion. Counsel for TLU has been unable to reach the counsel for OPIC at the time of this filing.

5. No danger, harm or prejudice would be created by extending the deadline for parties to file their Exceptions to the PFD three days, until June 3, 2011.

6. TLU respectfully requests that the Commission extend the deadline for filing Exceptions to the PFD three days, until June 3, 2011

7. The deadline established in Judge Keeper’s cover letter of June 10, 2011 to file Replies to Exceptions to the PFD will remain in effect.

8. Counsel further states that this Motion is not filed for the purpose of delay, but so that justice may be done.

IV. PRAYER

For the forgoing reasons, TLU respectfully requests the Court grant this Unopposed Motion for Extension of Time and extend the deadline for filing Exceptions to the PFD three days, until June 3, 2011.

Respectfully submitted,
THE TERRILL FIRM, P.C.

By: Geoffrey P. Kirshbaum [†]

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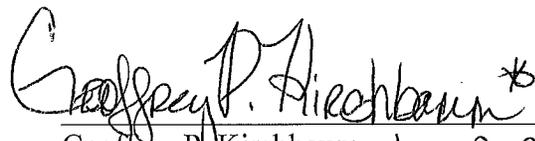
*by permission
Beckie
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ATTORNEYS FOR APPLICANT TEXAS
LANDING UTILITIES, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2011, a true and complete copy of the foregoing was sent to the following by facsimile, first-class mail or courier:

Parties	Representative / Address	Service
State Office of Administrative Hearings	Judge Paul D. Keeper 300 West 15 th Street, Suite 502 Austin, TX 78701	<i>via electronic filing</i>
TCEQ General Counsel	Les Trobman TCEQ P.O. Box 13087 Austin, TX 78711-3087	<i>via e-mail</i>
TCEQ	Docket Clerk Office of the Chief Clerk P.O. Box 13087 Austin, TX 78711	<i>via electronic filing</i>
TCEQ Executive Director	Ron Olson TCEQ, MC-173 P.O. Box 13087 Austin, TX 78711-3087	<i>via fax to: 239-0606</i>
Office of Public Interest Counsel of TCEQ	Eli Martinez TCEQ, OPIC MC-103 P.O. Box 13087 Austin, TX 78711-3087	<i>via fax to: 239-6377</i>
Bill Bryan and Texas Landing Homeowners Association and Subdivision	Bill Bryan 235 Branding Iron Livingston, TX 77351	<i>via first-class mail</i>
David Veinotte and Texas Landing Homeowners Association and Subdivision	David Veinotte 174 Buffalo Ct. Livingston, TX 77351	<i>via first-class mail</i>
John Stacey and Texas Landing Homeowners Association and Subdivision	John Stacey 154 Buffalo Ct. Livingston, TX 77351	<i>via first-class mail</i>


Geoffrey P. Kirshbaum *by permission*
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