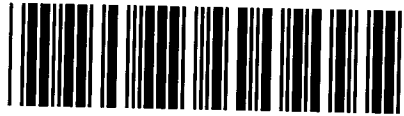


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DOCKET NO. 42960

APPLICATION OF AQUA UTILITIES, §
INC. AND AQUA TEXAS, INC. D/B/A §
AQUA TEXAS FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND TO AMEND §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY IN CHAMBERS, §
JEFFERSON, AND LIBERTY §
COUNTIES (GRAY UTILITY §
SERVICE SEWER SYSTEM; 37945-S)

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**COMMISSION STAFF'S RESPONSE TO ORDER NO. 9, RECOMMENDATION ON
SUFFICIENCY OF CLOSING DOCUMENTS, AND PROPOSED PROCEDURAL
SCHEDULE**

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files this Response to Order No. 9, Recommendation on Sufficiency of Closing Documents, and Proposed Procedural Schedule. In support of its Response, Staff states the following:

I. BACKGROUND

On June 4, 2014, Aqua Texas, Inc. d/b/a Aqua Texas (Applicant) filed an application with the Texas Commission on Environmental Quality (TCEQ) regarding the sale, transfer, or merger (STM) and amendment of Certificate of Convenience and Necessity (CCN) No. 20453 held by Aqua Utilities, Inc. in Chambers, Jefferson, and Liberty Counties, Texas pursuant to Tex. Water Code Ann. § 13.301 and Title 16, Tex. Admin. Code (16 TAC) §§ 24.109 and 24.112.

On June 23, 2015, the Administrative Law Judge (ALJ) issued Order No. 9 approving and directing the Applicant to consummate the proposed transaction. Pursuant to Order No. 9, Staff is directed to file a recommendation regarding the sufficiency of the documents and propose a schedule for continued processing of this docket within ten days of the Applicant's submission of proof that the transaction has been consummated and customer deposits addressed. The Applicant filed a bill of sale regarding the transaction on October 2, 2015. Therefore, this Response is timely filed.

II. STAFF'S RECOMMENDATION ON SUFFICIENCY OF THE CLOSING DOCUMENTS

On October 2, 2015, the Applicant submitted a Bill of Sale¹ and a customer deposit report² to show that the transaction has been finalized and that customer deposits have been addressed. Staff has reviewed these documents and recommends that they are sufficient to show that the Applicant has met the requirements in 16 TAC § 24.109(g). Staff is currently revising the Commission's mapping information to reflect this transaction. Upon completion of mapping, the parties must submit to the Commission signed consent forms evidencing their consent to the revised maps. Once Staff has received the completed and signed consent forms from the parties, Staff will issue its final recommendation on the application.

III. PROPOSED PROCEDURAL SCHEDULE

In order to accomplish the process described above, Staff proposes the following procedural schedule for the continued processing of this docket:

EVENT	DATE
Deadline for Commission Staff to submit revised maps and certificates to the parties for consent.	November 11, 2015
Deadline for parties to file completed and signed consent forms with the Commission.	November 25, 2015
Deadline for Commission Staff to file a final recommendation on the application.	December 9, 2015
If no disputed issues, deadline for parties to file a proposed notice of approval with fact findings, legal conclusions, and ordering paragraphs.	December 16, 2015

IV. CONCLUSION

For the reasons stated above, Staff recommends that Bill of Sale and customer deposit report submitted by the Applicant are sufficient to show that the transaction has been completed

¹ Bill of Sale (Oct. 2, 2015).

² Submission of Customer Deposits Report and Motion for Protective Order (Oct. 2, 2015); Confidential – List of Customers' Deposits; Bate Stamp: 1 to 3 (Oct. 6, 2015).

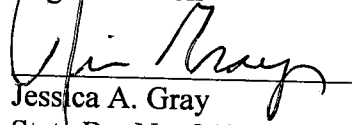
and that customer deposits have been addressed. Staff respectfully requests that the ALJ adopt the proposed procedural schedule and issue an order consistent with this response.

Date: October 12, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Karen S. Hubbard
Managing Attorney
Legal Division

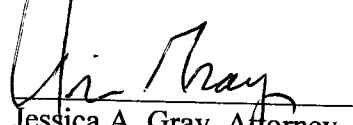

Jessica A. Gray
State Bar No. 24079236
Attorney, Legal Division

Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)

DOCKET NO. 42960

CERTIFICATE OF SERVICE

I certify that a copy of this document was served ~~this~~ document was served on all parties of record on October 12, 2015 in accordance with 16 TAC § 22.74.


Jessica A. Gray, Attorney