



Control Number: 42993



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**PUC DOCKET NO. 42993**

**APPLICATION OF COUNTRY VISTA  
WWTP, LLC AND EMCAD WATER  
AND WASTEWATER, LLC FOR  
SALE, TRANSFER, OR MERGER OF  
FACILITIES AND CERTIFICATE  
RIGHTS IN JOHNSON COUNTY  
(37726-S)**

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**PUBLIC UTILITY COMMISSION**

**OF TEXAS**

2015 JUL 30 PM 1:37  
FILING CLERK

**COMMISSION STAFF'S RESPONSE TO ORDER NO. 4**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Response to Order No. 4, and would show the following:

**I. BACKGROUND**

On September 13, 2013, Country Vista WWTP, LLC (Country Vista) and EMCAD Water and Wastewater, LLC (EMCAD) filed an application for the sale, transfer, or merger of facilities and certificate rights in Johnson County from Country Vista to EMCAD Water. The application was received by the Public Utility Commission of Texas (Commission) on September 12, 2014. On July 22, 2015, the administrative law judge issued Order No. 4, requiring that Staff file a recommendation regarding the sufficiency of the closing documentation and whether all of the required criteria has been met for final approval of this application no later than August 3, 2015. Accordingly, this response is timely filed.

**II. STAFF RECOMMENDATION**


16 Tex. Admin Code § 24.109(g) (TAC) requires that the "utility or water supply or sewer service corporation must file a signed contract, bill of sale, or other appropriate documents as evidence that the transaction has been made final and documentation that customer deposits have been transferred or refunded to the customer with interest as required by these rules." Staff has reviewed the closing documents submitted by the Applicants. Country Vista and EMCAD submitted a completed Bill of Sale and Certificate of Completion showing that the facilities have been transferred from Country Vista to EMCAD. The utilities also indicated that Country Vista did not hold any customer deposits, and no deposits were transferred or refunded. Staff recommends that the utilities have met the required criteria for final approval of the application and have complied with the requirements of 16 TAC § 24.109(g).

**Dated: July 30, 2015**

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on July 30, 2015, in accordance with 16 TAC § 22.74.

  
Jason Haas