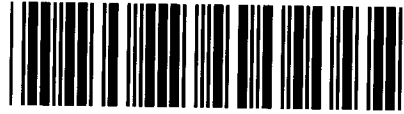


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SOAH DOCKET NO. 473-15-0618  
PUC DOCKET NO. 43075

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APPLICATION OF HIGHLAND § BEFORE THE STATE OFFICE  
UTILITIES, INC. AND WILDERNESS § FILING CLERK  
COVE WATER COMPANY, LLC FOR §  
SALE, TRANSFER, OR MERGER OF § OF  
FACILITIES AND CERTIFICATE §  
RIGHTS IN BURNET COUNTY § ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 3  
GRANTING STAFF'S REQUEST TO UNABATE PROCEEDING**

On October 6, 2014, the Application of Highland Utilities, Inc. and Wilderness Cove Water Company LLC (Applicant) for Sale Transfer, or Merger of Facilities and Certificate Rights in Burnet County (Application) was referred to the State Office of Administrative Hearings and the undersigned Administrative Law Judge (ALJ) was assigned to conduct a hearing and issue a proposal for decision. On October 29, 2014, the staff (Staff) of the Public Utilities Commission of Texas (PUC) filed an unopposed motion to abate this matter. As the grounds for the abatement, Staff explained that the Application is directly affected by a pending Certificate of Convenience and Necessity (CCN) Application which is awaiting final review by the PUC (Docket No. 43139). Staff requested that this docket, therefore, be abated until a Final Order is issued finalizing the underlying CCN in Docket No. 43139. The ALJ granted the motion to abate this matter, and ordered Staff to submit a status report to the ALJ no later than March 9, 2015. Staff timely filed a request that the abatement be lifted on the basis that a joint proposed order and final tariff was approved by the PUC in Docket No. 43139 on January 23, 2015. No parties filed a response. The ALJ finds Staff's request has merit and it is granted. The proceeding is **unabated**.

In addition, Staff noted that it has identified deficiencies in the Application which prevent Staff from determining the validity of the Application. Staff requests that the ALJ issue an order requiring Applicant to:

- A. Provide a general location map (small scale) delineating the proposed service area with enough detail to accurately locate the proposed area within the county;

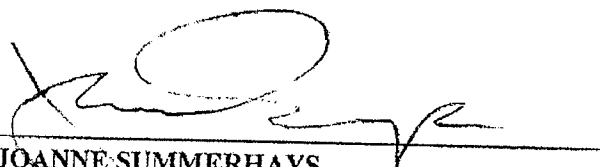
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- B. Provide an updated large scale map of the proposed service area clearly delineating the proposed service area with enough detail to accurately locate the service area in the vicinity of major and minor streets, highways, roads, and other topographic features;
- i. Maps must only show the proposed service area. The maps should not show other existing service areas, or other city limit or extraterritorial jurisdiction boundaries and
  - ii. The proposed service area provided on maps must delineate the same service area and acreage submitted in a digital format;
- C. Provide a complete list of cities and neighboring retail public utilities providing the same utility service whose corporate limits or certificated service boundaries are within a 2-mile buffer of the proposed service area including utilities(CCNs),districts, counties ground water conservation districts, cities and their ETJ's and any other entities required to receive notice; and
- D. Provide notice documents noting the recently amended water service area issued to Highland Utilities, Inc. in Docket No. 43139.

Staff further suggests that Applicant use the Water and Sewer CCN Viewer located on the PUC's website to create their large and small scale maps of their proposed service area. Applicant should consult PUC mapping staff for guidance using the Viewer to create proposed maps for this Application. Finally, Staff requests that Applicant be instructed not to notice neighboring entities, customers, landowners, or other parties until their maps and notice documents have been approved by Staff.

The ALJ finds that Staff's request has merit and it is **granted**. Applicant is, therefore, **ordered** to comply with the above-referenced requirements, instructions, and suggestions no later than **April 8, 2015**. The parties shall confer and submit a procedural schedule no later than **May 6, 2015**.

**SIGNED March 18, 2015.**

  
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JOANNE SUMMERHAYS  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS