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<b>APPLICATION OF CURTIS J. SHUPAK AND HDU SERVICES, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE OF CONVENIENCE AND NECESSITY IN BURLESON COUNTY (37955-S)</b>	§ § § § § § §	2015 APR 9 AM 10:15 PUBLIC UTILITY COMMISSION PUBLIC UTILITY COMMISSION OF TEXAS
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**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF DOCUMENTS**

COMES NOW the Staff of the Public Utility Commission of Texas, representing the public interest and files this Recommendation on Sufficiency of Documents and would show the following:

**I. BACKGROUND**

On June 23, 2014 HDU Services, LLC (Applicant) filed with the Texas Commission on Environmental Quality (TCEQ) an Application for Sale, Transfer, or Merger of a Retail Public Utility pursuant to TEX. WATER CODE ANN. §§ 13.246(c), 13.254, 13.301 and 30 TEX. ADMIN. CODE § 291.1091.<sup>1</sup> The application addressed the proposed transfer of service area Certificate of Convenience and Necessity (CCN) No. 12254 and facilities in Burleson County, Texas from Curtis J. Shupak to the Applicant. According to the application, the Applicant will retain CCN No. 12254.

On March 27, 2015, the administrative law judge (ALJ) issued Order No. 5 in which the ALJ ordered that the sale/transfer transaction between Mr. Shupak and HUD Services may proceed and be consummated. Order No. 5 also requested that Mr. Shupak and HDU Services submit proof to the Commission that the sale/transfer has been consummated and customer deposits addressed, and that Staff shall file a recommendation regarding the sufficiency of the documents and propose a schedule for the continued processing of this docket within ten working days of Mr. Shupak and HDU Services filing proof of sale. HDU Services submitted a bill of sale on March 30, 2015. Therefore, Staff’s recommendation on the sufficiency of the documents is due by April 13, 2015, and Staff’s recommendation is timely filed.

<sup>1</sup> Currently P.U.C. SUBST. R. 24.109.

## II. RECOMMENDATION ON DOCUMENTS

Staff has reviewed the documents submitted by HDU Services on March 30, 2015. The documents submitted appear to be missing a signature page. Additionally, the materials provided have not addressed customer deposits. Therefore, Staff recommends that the documents submitted be found insufficient, and that HDU Services and Shupak be given until March 26, 2016 to file sufficient documents.

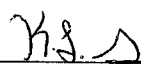
## III. CONCLUSION

Staff recommends that the documents submitted be found insufficient and that HDU Services and Mr. Shupak be given until March 26, 2016 to cure the documents.

Respectfully Submitted,


Margaret Uhlig Pemberton  
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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on April 9, 2015 in accordance with P.U.C. Procedural Rule 22.74.

  
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Katherine Lengieza Gross