



Control Number: 44512



Item Number: 23

Addendum StartPage: 0

RECEIVED

2015 SEP -3 AM 11:51

APPLICATION OF FOREST §
HIGHLANDS, INC AND FOREST §
OAKS MOBILE HOMES FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
IN TRAVIS COUNTY §

PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF
TEXAS

COMMISSION STAFF'S RESPONSE TO ORDER NO. 6

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Response to Order No. 6. In support thereof, Staff shows the following:

I. BACKGROUND

On March 6, 2015, Oak Forest Highlands, Inc. (Highlands or Seller) and Forest Oaks Mobile Homes, LLC (Forest Oaks or Purchaser) filed an application (Application) for the sale, transfer, or merger (STM) of facilities and certificate of convenience and necessity rights in Travis County. Specifically, Forest Oaks seeks approval to acquire all of the water system assets of Highlands. Highlands's water certificate of convenience and necessity (CCN) No. 12086 would also be transferred to Forest Oaks. In Order No. 3, the Administrative Law Judge (ALJ) deemed the Application sufficient for filing and instructed the Applicants to issue notice. On June 25, 2015, the Purchaser filed affidavits of notice and samples of the notice it issued. On July 2, 2015, Professional Contract Services, Inc. (PCSI), operating a water well immediately east of the Forest Oaks' parcel, filed a request for a public hearing to clarify the area the covered by certificate of convenience and necessity (CCN) that is the subject of the Application.

Order No. 6 allowed PCSI until September 1, 2015 to file a hearing request or withdraw its conditional hearing request. On August 31, 2015, PCSI timely filed a withdrawal of its hearing request and protest to the Application. The withdrawal notes that the Applicant and PCSI entered into an agreement and that the withdrawal is contingent upon the agreement between the two

J3

parties. Staff is not a party to the agreement. Order No. 6 allowed Staff until September 3, 2015 to file a recommendation on PSCI's motion. Therefore, this pleading is timely filed.

II. RECOMMENDATION

Because PSCI's hearing request has been withdrawn, Staff does not comment on PSCI's request.

II. PREPROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Deadline for parties, other than Staff, to file comments, interventions, or hearing request.	July 19, 2015
Deadline for Staff to make a final recommendation or refer to a hearing.	September 17, 2015
120-day deadline for the Commission to grant, deny, or refer to a hearing.	October 16, 2015

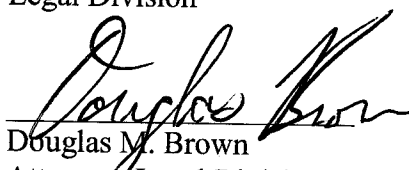
III. CONCLUSION

Staff respectfully requests that the ALJ issue an order consistent with the above recommendation.

Respectfully Submitted,

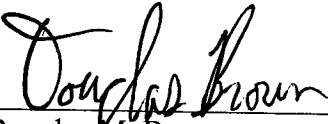
Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division


Douglas M. Brown
Attorney, Legal Division
State Bar No. 24048366
(512) 936-7203
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

DOCKET NO. 44512
CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 3, 2015 in accordance with 16 TAC § 22.74.



Douglas M. Brown