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DOCKET NO. 44656

**APPLICATION OF NI AMERICA
TEXAS, LLC AND NI PACOLET
MILLIKEN UTILITIES, LLC FOR
SALE, TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN JOHNSON AND WISE
COUNTIES**

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PUBLIC UTILITY COMMISSION: 23

OF TEXAS
UTILITY COMMISSION
FILING CLERK

**ORDER NO. 1
REQUIRING COMMISSION STAFF COMMENTS/RECOMMENDATION**

I. Application

On April 17, 2015, Ni America Texas, LLC (Ni America Texas) and Ni Pacolet Milliken Utilities, LLC (Ni Pacolet) (collectively, Applicants) filed an application for sale, transfer, or merger of facilities and certificate of convenience and necessity rights in Johnson and Wise Counties. Specifically, Ni America Texas seeks approval to sell facilities and transfer its water Certificate of Convenience and Necessity No. 11922 to Ni Pacolet. The total area being requested in Johnson County includes approximately 640 acres and serves 202 customers in the Shaded Lane Estates subdivision. The total area being requested in Wise County includes approximately 5,120 acres and services 829 customers in the Chisholm Hills, Coyote Ridge, Hills of Oliver Creek, Sage Brush Estates, Skyview Ranch, Windmill Trails, and Rio Rancho Estates subdivisions.

II. Establishing Deadline for Commission Staff's Recommendation

Pursuant to P.U.C. SUBST. R. 24.8(a), Commission Staff shall file, on or before **May 15, 2015**, comments/recommendation regarding administrative completeness of this application, whether additional notice may be required to comply with the applicable procedural rules, and propose a schedule for processing.

The Commission will submit notice of this application for publication in the *Texas Register* on May 8, 2015.

III. Filings

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission filing clerk according to P.U.C. PROC. R. 22.71. A copy of each document filed with the Commission must also be served on all parties as provided in P.U.C. PROC. R. 22.74. All filings can be accessed on the PUC Interchange, <http://interchange.puc.texas.gov>.


All parties shall provide their current addresses, telephone and facsimile numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party shall provide the Commission and all parties with updated address, telephone, and facsimile information if such information changes. The telephone and facsimile numbers will be placed on the service list for this proceeding. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

IV. Ex Parte Communications

Pursuant to P.U.C. PROC. R. 22.3(b)(2) *ex parte* communications with the administrative law judges and presiding officer (collectively, ALJs) are prohibited. Parties shall communicate with the ALJs only through written documents filed with the Commission's Filing Clerk and served on all parties. Questions concerning this order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

SIGNED AT AUSTIN, TEXAS on the 24th day of April 2015.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHANIE FRAZZELL
ADMINISTRATIVE LAW JUDGE