



Control Number: 44992



Item Number: 6

Addendum StartPage: 0

APPLICATION OF TEXAMERICA CENTER AND RIVERBEND WATER RESOURCES DISTRICT FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BOWIE COUNTY	§ § § § § § § §	PUBLIC UTILITY COMMISSION 2015 AUG 31 PM 7:11 PUBLIC UTILITY COMMISSION OF TEXAS CLERK
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COMMISSION STAFF'S RESPONSE TO ORDER NO. 1

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Response to Order No. 1 and would show the following:

I. BACKGROUND

On July 30, 2015, TexAmerica Center (TexAmerica) and Riverbend Water Resource District (Riverbend) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Bowie County (Application). TexAmerica currently possesses retail water Certificate of Convenience and Necessity (CCN) No. 13210 and sewer CCN No. 21067. Riverbend seeks to purchase the water and sewer facilities from TexAmerica.

On August 3, 2015, the Administrative Law Judge issued Order No. 1 requiring Staff to file comments or a recommendation regarding administrative completeness of the Application, and whether the Application notice may be required to comply with the applicable procedural rules as well as to propose a schedule for processing. Therefore, this pleading is timely.

II. RECOMMENDATION

As explained in the memorandum (Attachment A) of Leila Guerrero and Kristy Nguyen of the Water Utilities Division, Staff recommends that the Application be deemed sufficient and that notice be issued. Attachment A also provides instructions for TexAmerica and Riverbend regarding notice. Attachment B provides sample draft notices and sample draft affidavits.

III. PROCEDURAL SCHEDULE

Staff recommends the following procedural schedule:

Event	Date
Deadline for Applicants to provide the Commission with the Affidavits of Notice	October 2, 2015

Deadline for Comments or Request for Intervention, and deadline for Intervenors to request a hearing	30 days after Applicants mails or publish notice, whichever occurs later
Deadline for Staff to file an additional procedural schedule with hard deadlines ¹	October 16, 2015

IV. CONCLUSION


Staff respectfully requests that the ALJ issue an order consistent with this Response to Order No. 1.

¹ Thirty days after Staff receives the Affidavits of Notice, Staff will know whether comments have been filed or a hearing has been requested by Intervenors, and Staff will be able to set other procedural deadlines appropriately.

Respectfully Submitted,

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DOCKET NO. 44992

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 31, 2015 in accordance with 16 TAC § 22.74.


Christina R. Switzer