



Control Number: 45212



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APPLICATION OF KEMPNER §
 WATER SUPPLY CORPORATION §
 AND CITY OF COPPERAS COVE FOR §
 SALE, TRANSFER, OR MERGER OF §
 FACILITIES AND CERTIFICATE §
 RIGHTS IN CORYELL COUNTY §
 (BRADFORD OAKS RANCH §
 SUBDIVISION) §

PUBLIC UTILITY COMMISSION
 OF TEXAS
 2016 SEP -6 PM 4:34
 PUBLIC UTILITY COMMISSION
 FILING CLERK

ORDER NO. 10
APPROVING TRANSACTION AND REQUIRING FILINGS

This Order addresses Commission Staff's August 10, 2016 recommendation that the transaction proposed in this application be approved and allowed to proceed. Commission Staff recommended that the Commission find that the proposed sale and transfer of portions of Kempner Water Supply Corporation's water certificate of convenience and necessity (CCN) in Coryell County, and associated facilities, to the City of Copperas Cove will serve the public interest. Commission Staff recommended that the Commission permit the applicants to close the transaction and require the applicants to file documentation demonstrating that the assets have been transferred from Kempner to the City and that any remaining deposits have been properly addressed as soon as possible after closing.

Consistent with Commission Staff's recommendation the transaction proposed in this application is approved, may proceed and be consummated. As soon as possible after the effective date of the transaction, but not later than 30 days after, applicants shall file proof that the transaction has been consummated and that customer deposits have been properly addressed.¹ Additionally, applicants are advised that they have one year to complete the transaction.² If the transaction is not consummated within this period, or an extension requested and granted, this approval is void and applicants will have to reapply for approval of the sale.³ Finally, applicants are advised that the portions of Kempner's water CCN affected by this application will continue

¹ 16 Tex. Admin. Code § 24.112(d) (TAC).

² 16 TAC § 24.112(e).

³ *Id.*

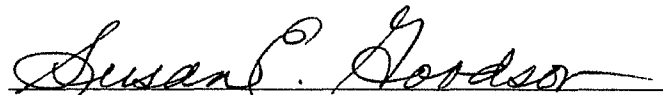
to be held by Kempner until this application is complete in accordance with the Commission's rules and final approval is issued.

In an effort to finalize this case as soon as possible, beginning **September 19, 2016**, and continuing monthly thereafter, applicants shall file an update regarding the status of the efforts to complete the transaction and to submit documents evidencing the transaction was consummated and customer deposits properly addressed.

Within 30 days following the filing of Kempner's and the City's proof that the transaction has been consummated and customer deposits (if any) have been addressed, Commission Staff shall file a recommendation regarding the sufficiency of the documents and propose a schedule for the continued processing of this docket.

SIGNED AT AUSTIN, TEXAS the 6th day of September 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON

ADMINISTRATIVE LAW JUDGE