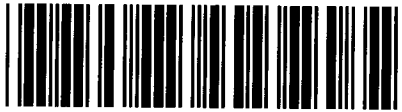




Control Number: 45317



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APPLICATION OF MONARCH UTILITIES I, L.P. AND ROMARK UTILITY COMPANY FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN POLK COUNTY § § § § § §

PUBLIC UTILITY COMMISSION OF TEXAS 2016 MAY -9 AM 11:09 PUBLIC UTILITY COMMISSION OF TEXAS

COMMISSION STAFF'S RECOMMENDATION FOR AN UPDATED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation for an Updated Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On November 4, 2015, Monarch Utilities I, L.P. (Monarch) and Romark Utility Company (Romark) filed an application for approval of a sale, transfer, or merger of facilities and certificate rights in Polk County. The parties seek approval to transfer, but also request amendment and decertification of portions of the service area to be transferred. The application requests cancellation of Romark's water certificate of convenience and necessity (CCN) No. 10116 and amendment of Monarch's CCN No. 12983. This application affects approximately 387 acres and 125 current customers in the Oak Terrace Estates Subdivision.

On February 10, 2016, Order No. 3 was issued, deeming Monarch's application administratively complete and requiring Monarch to file a copy of the actual notice issued by March 9, 2016. Order No. 3 also required Staff to file an updated procedural schedule by May 9, 2016. Therefore, Staff's recommendation for an updated procedural schedule is timely filed.

II. PROPOSED PROCEDURAL SCHEDULE

On February 25, 2016, Monarch filed affidavits of notice indicating that notice of the application was mailed to current customers and affected municipalities on February 22, 2016. Notice was published in the The Polk County Enterprise on February 14 and 21, 2016. Pursuant to 16 Tex. Admin. Code § 24.109(e), the 120-day deadline to approve the sale administratively or require a public hearing to determine if the transaction will serve the public interest ends on

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June 21, 2016.¹ Staff proposes the following supplemental procedural schedule for the processing of this application:

| Event | Date |
|-----------------------------------------------------------------------------------------------------------------------|-------------------|
| Notice completed | February 22, 2016 |
| Deadline for Intervention | March 23, 2016 |
| Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment | June 8, 2016 |
| Deadline for parties to file a response to Staff's recommendation | June 15, 2016 |
| Expiration of 120-day deadline for Commission action pursuant to 16 TAC § 24.109(e) | June 21, 2016 |

III. CONCLUSION

Staff respectfully requests that the ALJ issue an order consistent with this Response.

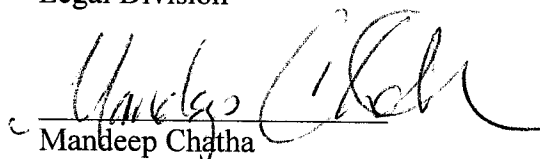
DATE: May 9, 2016

¹ The 120-day deadline begins on the *later* of: “(1) the date the applicant files an application under this section; (2) if mailed notice is required, the last date the applicant mailed the required notice as stated in the

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

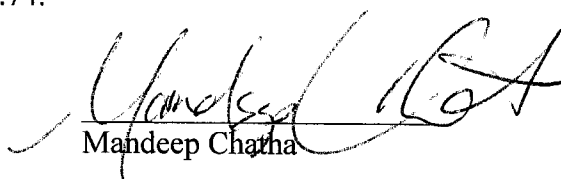


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DOCKET NO. 45317

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the May 9, 2016 in accordance with 16 TAC § 22.74.



Mandeep Chatha

applicant's affidavit of notice; or (3) if newspaper notice is required, the last date of the publication of the notice in the newspaper as stated in the affidavit of publication." 16 TAC § 24.109(a) (emphasis added).