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DOCKET NO. 45656

RECEIVED

APPLICATION OF AQUA TEXAS, §  
INC. AND MONTGOMERY COUNTY §  
MUNICIPAL UTILITY DISTRICT §  
NO. 126 FOR SALE, TRANSFER, OR §  
MERGER OF FACILITIES AND §  
CERTIFICATE RIGHTS IN §  
MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION 9:03  
OF TEXAS  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION REGARDING SUFFICIENCY OF  
NOTICE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 6 and Recommendation Regarding Sufficiency of Notice.

**I. Background**

On February 24, 2016, Aqua Texas, Inc. d/b/a Aqua Texas (Aqua) and Montgomery County Municipal Utility District No. 126 (MUD 126) filed an application for approval of a service agreement under Texas Water Code § 13.248 (TWC), which would transfer a portion of Aqua's water certificate of convenience (CCN) No. 13203 and sewer CCN No. 21065 service areas to MUD 126, and to decertify a portion of Aqua's water CCN No. 13203 and sewer CCN No. 21065 in Montgomery County.

On July 28, 2016, the Administrative Law Judge (ALJ) issued Order No. 6 revising the style of the proceeding to be reviewed as a sale, transfer, or merger (STM) application. Order No. 6 deemed the application administratively complete and required Staff to file a recommendation on the sufficiency of notice and an updated procedural schedule within 10 days of Aqua and MUD 126 filing proof of notice. Aqua and MUD 126 filed notice on August 23, 2016. Therefore, this Response is timely filed.

**II. Recommendation on Administrative Completeness**

Staff reviewed proof of notice filed by Aqua and MUD 126 on August 23, 2016 and recommends that it be found sufficient.

### **III. Proposed Procedural Schedule**

Staff recommends the following procedural schedule:

<b>Event</b>	<b>Date</b>
Notice completed	August 16, 2016
Deadline for intervention	September 15, 2016
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	October 17, 2016
Deadline for parties to file a response to Staff's recommendation	October 31, 2016
120 day deadline for the Commission to approve the sale or require a hearing	November 14, 2016

### **IV. Conclusion**

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

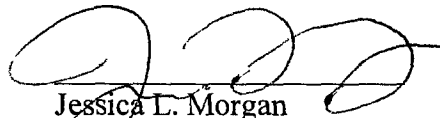
**Dated: September 2, 2016**

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney

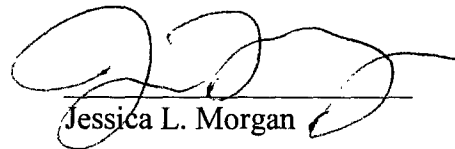


Jessica L. Morgan  
State Bar No. 24079023  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7229  
(512) 936-7268 (facsimile)

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this September 2, 2016 in accordance with 16 TAC § 22.74.



Jessica L. Morgan