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APPLICATION OF BRUSHY CREEK §
MUNICIPAL UTILITY DISTRICT §
AND AQUA TEXAS, INC. FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN WILLIAMSON COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

**ORDER NO. 9
APPROVING TRANSACTION TO PROCEED**

This Order addresses Commission Staff's recommendation that the transaction proposed in this application be allowed to proceed.

On November 29, 2016, Commission Staff recommended that the parties be allowed to proceed with the transaction. On November 30, 2016, Aqua Texas, Inc. filed a response to the recommendation to clarify that the purchaser in this transaction is Aqua Texas, Inc. Aqua Texas, Inc. is requesting a new water CCN number to be issued to create a new southwest region. On December 14, 2016, the parties clarified that the purchaser in this transaction is Aqua Texas, Inc., not Aqua Utilities, Inc. Staff agrees that the assignment of a new water CCN to Aqua Texas, Inc. is merited.

Consistent with Commission Staff's recommendation, and the joint clarification, the transaction proposed in this application 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 customer deposits have been properly addressed.¹ Applicants 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 Applicants are advised that Brushy Creek's water certificate affected by this application will continue to be held by Brushy Creek until this application is complete in accordance with the Commission's rules and final approval is issued.

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

² 16 TAC § 24.112(e).

³ *Id.*

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In an effort to finalize this case as soon as possible, beginning **January 27, 2017**, 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 15 days following the filing of applicants' 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 16th day of December 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE