



Control Number: 46107



Item Number: 10

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RECEIVED

APPLICATION OF BETHANY §
HEARNE WATER SUPPLY §
CORPORATION AND CITY OF §
HEARNE FOR SALE, TRANSFER, §
OR MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN §
ROBERTSON COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

SEP-9 PM 4:39
PUBLIC UTILITY COMMISSION
FILING CLERK

COMMISSION STAFF'S RECOMMENDATION ON NOTICE AND PROCEDURAL SCHEDULE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Recommendation on Notice and Procedural Schedule. In support thereof, Staff would show the following:

I. BACKGROUND

On June 29, 2016, Bethany Hearne Water Supply Company (Bethany Hearne WSC) and the City of Hearne (collectively Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate of convenience and necessity rights in Robertson County. Specifically, the City of Hearne seeks approval to acquire a portion of the water system assets of Bethany Hearne WSC held under water Certificate of Convenience and Necessity (CCN) No. 10330.

Order No. 2 set the deadline for Staff to file a recommendation on the sufficiency of notice and propose an additional procedural schedule as September 9, 2016. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON NOTICE

Staff recommends that the notice issued on August 16, 2016 be found sufficient, as the affidavit and supporting documentation filed on August 25, 2016 and September 8, 2016 complies with Staff's recommendation on notice. Staff recommends that its previous filing recommending the proof of notice be found insufficient be disregarded, as the notice information was inadvertently filed in the wrong Docket, Docket No. 41607, and is being transferred over.

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III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	<i>August 16, 2016</i>
Deadline for intervention	<i>September 15, 2016¹</i>
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	<i>October 17, 2016</i>
Deadline for parties to file a response to Staff's recommendation	<i>October 28, 2016</i>
120 day deadline for the Commission to approve the sale or require a hearing	<i>December 14, 2016²</i>

IV. CONCLUSION

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

¹ Pursuant to 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on August 16, 2016. Therefore, 30 days after August 16, 2016 is September 15, 2016.

² Pursuant to 16 TAC § 24.109, the deadline for Commission action is 120 days after the later of either when the application is filed, when notice was mailed, or when notice is published. One hundred and twenty days after August 16, 2016 is December 14, 2016.

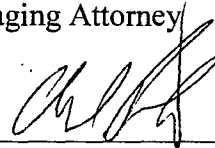
Dated: September 9, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

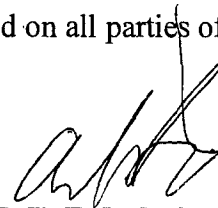


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DOCKET NO. 46107

CERTIFICATE OF SERVICE

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



Alexander Petak