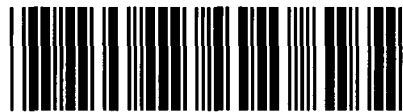




Control Number: 46107



Item Number: 30

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION  
FILING CLERK

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

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§

PUBLIC UTILITY COMMISSION  
OF TEXAS

### COMMISSION STAFF'S FINAL RECOMMENDATION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Sufficiency of Closing Documents. In support thereof, Staff shows 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. 4, issued October 18, 2016, approved the sale/transfer to proceed with closing. Applicants filed closing documentation on May 15, 2017 and supplemental documentation on June 8, 2017. Order No. 6 found the closing documents sufficient and gave Staff a deadline of July 17, 2017 to file a final recommendation. This pleading is therefore timely filed.

#### II. FINAL RECOMMENDATION

No requests for hearing were filed, and the Application meets the requirements of 16 Tex. Admin. Code §§ 24.109, as supported by the attached memorandum of Debbie Reyes Tamayo of the Water Utilities Division. Therefore, Staff recommends that the Application be approved. The consented CCN and map are also attached.

Staff further recommends that the City of Hearne file certified copies of the CCN map along with a written description of the CCN service area in the appropriate county clerk's office pursuant to TWC §§ 13.257 (r) and (s).

### III. CONCLUSION

Staff respectfully requests that the ALJ issue an order reflecting the above request.

Dated: July 17, 2017

Respectfully Submitted,

#### PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



Alexander Petak  
State Bar No. 24088216  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7377  
(512) 936-7268 (facsimile)  
Alexander.Petak@puc.texas.gov

#### DOCKET NO. 46107 CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 17, 2017 in accordance with 16 TAC § 22.74.



Alexander Petak

## PUC Interoffice Memorandum

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**To:** Alexander Petak  
Legal Division

**Thru:** Tammy Benter, Director  
Heidi Graham, Manager  
Water Utilities Division

**From:** Debbie Reyes Tamayo, Program Specialist  
Water Utilities Division

**Date:** July 10, 2017

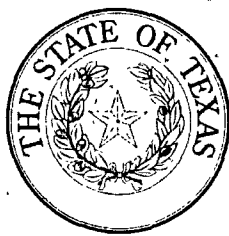
**Subject:** *Docket 46107, Application of Bethany Hearne Water Supply Company and City of Hearne for Sale, Transfer, and Merger of Facilities and Certificate Rights in Robertson County*

On June 29, 2016, City of Hearne (Hearne or Purchaser), Certificate of Convenience and Necessity (CCN) No. 10344 and Bethany Hearne Water Supply Company (Bethany Hearne or Seller), CCN No. 10330, (collectively, Applicants) filed an application for approval of a sale, transfer, or merger (STM) of facilities and certificate rights in Robertson County, Texas. The application was filed under the provisions in Texas Water Code §§ 13.241, 13.246, 13.301 (TWC) and 16 Tex. Admin. Code §§ 24.102 and 24.109 (TAC). Specifically, Hearne seeks approval to acquire the water system assets, customers and service area of Bethany Hearne, to cancel Certificate of Convenience and Necessity (CCN) No. 10330 and to incorporate the service area into Hearne's CCN No. 10344.

Approving this application and transferring the requested service areas, facilities and customers from the Bethany Hearne Water Supply Company (Seller) to the City of Hearne (Purchaser) is necessary for the service, accommodation, convenience and safety of the public.

Attached is the map and certificate that, if adopted, would effectuate the requested transaction.

The Applicants consented to the attached map and certificate on June 28, 2017.



# Public Utility Commission of Texas

**By These Presents Be It Known To All That**

**City of Hearne**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Hearne is entitled to this

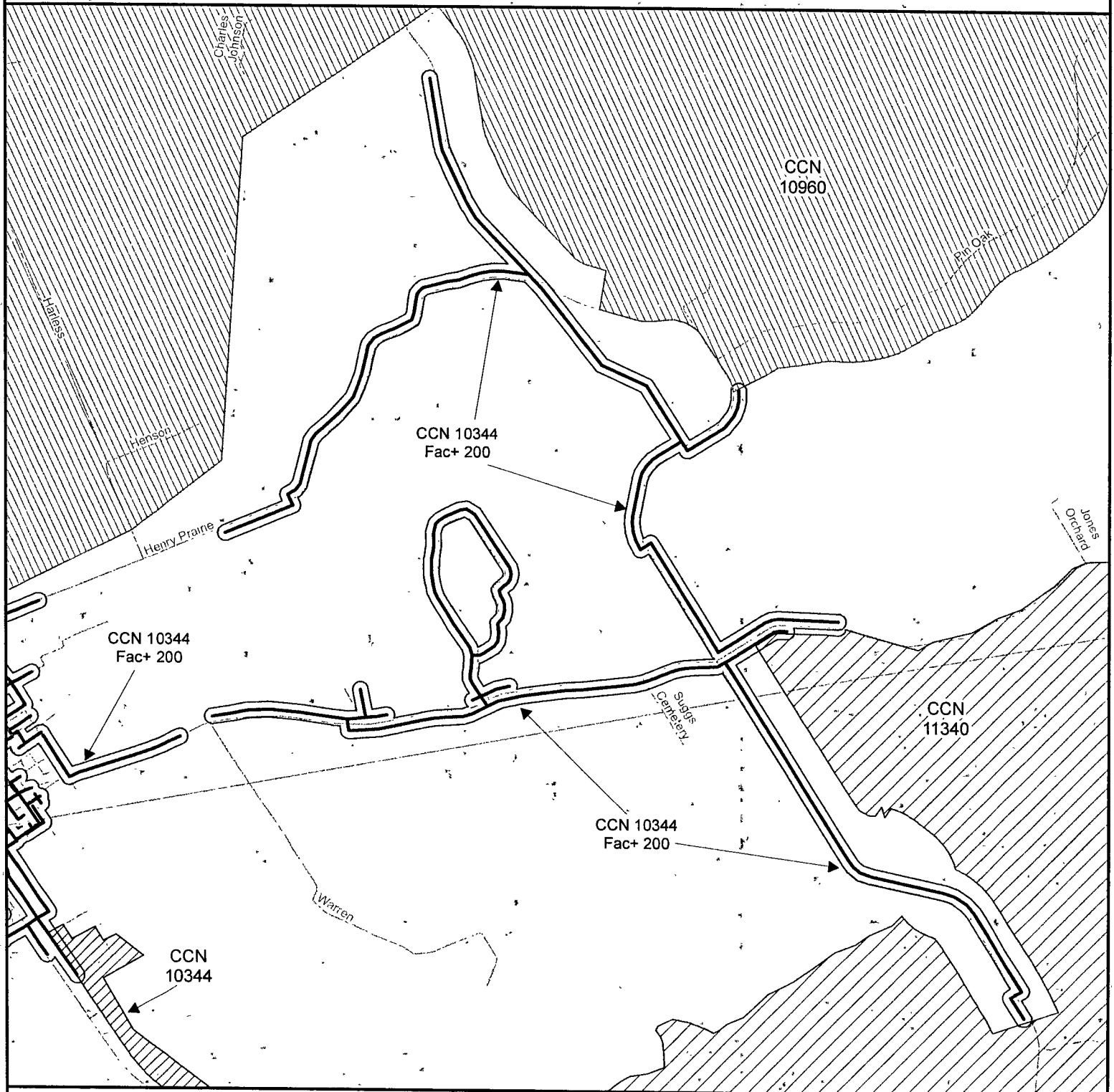
## **Certificate of Convenience and Necessity No. 10344**

to provide continuous and adequate water utility service to that service area or those service areas in Robertson County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 46107 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Hearne to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.


Issued at Austin, Texas, the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

City of Hearne  
Portion of CCN No. 10344  
PUC Docket No. 46107


Transferred all of Bethany Hearne Water Supply Company, CCN No. 10330 in Robertson County





**Water Facility CCN**

 10344 - City of Hearne

**Water CCN**

 10344 - City of Hearne

 10960 - Robertson County WSC

 11340 - Wellborn SUD

Public Utility Commission of Texas  
1701 N. Congress Ave  
Austin, TX 78701

Map by Komal Patel  
Date created: June 15, 2017  
Project Path: n:\finalmapping\46107CityofHearne.mxd