



Control Number: 46170



Item Number: 22

Addendum StartPage: 0

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APPLICATION OF VISTA VERDE §
WATER SYSTEMS INC. AND SIMPLY §
AQUATICS, INC. FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS
PUBLIC UTILITY COMMISSION
CLERK

**ORDER NO. 6
REQUIRING CLARIFICATION FROM APPLICANTS AND
FROM COMMISSION STAFF AND
ESTABLISHING DEADLINES**

This Order addresses Commission Staff's March 13, 2017 request for clarification regarding the proof of notice provided by Vista Verde Water Systems, Inc. and Simply Aquatics, Inc. in this application. This Order also requires Commission Staff to provide certain clarification regarding the notice forms that were provided with its January 27, 2017 supplemental recommendation.

First, Commission Staff requested that Simply Aquatics clarify the date that notice was provided. The affidavit that was provided indicates that notice was provided as January 17, 2017. However, Order No. 5 authorizing notice was not issued until January 30, 2017. Therefore, consistent with Commission Staff's request, on or before March 31, 2017, Simply Aquatics shall clarify the date that notice was provided and submit a supplemental affidavit reflecting the correct date, if appropriate. Commission Staff will file a supplemental recommendation on the sufficiency of notice within 10 working days of the applicants filing proof of completed notice and clarifying the date notice was provided.

Second, the proposed notice of this application that was part of the original application indicates that approximately 25 acres with 45 current customers will be affected.¹ However, without any accompanying explanation, the notice forms provided by Commission Staff and then actually used by Simply Aquatics indicate that approximately 346 acres with 45 current customers will be affected by this application. This change is important in light of the protest and request for a hearing filed by Stanley Lake Municipal Utility District on March 3, 2017; which claims that the

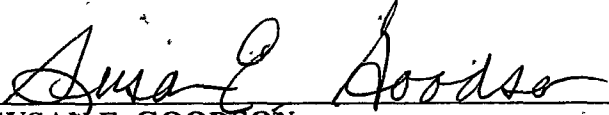
¹ See Application of Vista Verde Water Systems Inc. and Simply Aquatics, Inc. for sale, transfer, or merger, July 14, 2016, page 20.

22

applicants are requesting the transfer of area that is not located within Vista Verde's certificated service area, and suggests that the application could be "adjusted" to include the transfer of only land that is currently within Vista Verde's certificated service area and that is currently in CCN No. 13034. Therefore, Commission Staff shall include in its supplemental recommendation, an explanation of the change from 25 to 346 acres, and comment on Stanley Lake's request for hearing and proposed "adjustment."

Signed at Austin, Texas the 14th day of March 2017.

PUBLIC UTILITY COMMISSION OF TEXAS


SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE