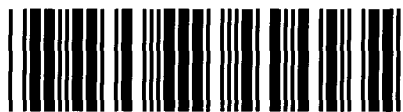




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PUBLIC UTILITY COMMISSION  
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APPLICATION OF DAL-HIGH §  
WATER SUPPLY AND L&T WATER §  
WORKS FOR SALE, TRANSFER, OR §  
MERGER OF FACILITIES AND §  
CERTIFICATE RIGHTS IN §  
HENDERSON COUNTY §  
§

OF TEXAS

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

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Sufficiency of Notice, and would show the following:

**I. BACKGROUND**

On August 22, 2016, Dal-High Water Supply (Dal-High) and L&T Water Works filed an application for sale, transfer, or merger of facilities and certificate of convenience and necessity rights in Henderson County. Specifically, L&T Water Works seeks approval to acquire all of the water system assets of Dal-High Water Supply held under water Certificate of Convenience and Necessity (CCN) No. 12830. On September 27, 2016, Order No. 2 was issued, which deemed the application administratively complete, and required that the applicant provide notice of the application. Order No. 2 also set a deadline of October 24, 2016 for the applicants to provide proof of notice, and required Staff to file a recommendation on the sufficiency of the notice within 10 days of the applicants filing the proof of notice.

**II. RECOMMENDATION ON SUFFICIENCY OF NOTICE**

On October 7, 2016, Dal-High filed an affidavit of notice and a copy of the notice provided. However, Dal-High did not provide a list of the notice recipients, as indicated in the attached memorandum of Ricky Herrera, Staff Engineer, and Gary Horton, Jr., GIS Specialist, of the Water Utilities Division. This list is necessary to ensure that the proper entities received notice as required under 16 Tex. Admin. Code § 24.106. Staff recommends the following procedural schedule:

Event	Date
Deadline for Applicant to file list of notice recipients	November 16, 2016
Deadline for Staff to file a recommendation on sufficiency of notice	December 7, 2016

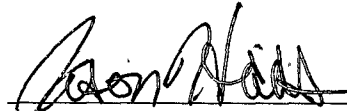
**Dated: October 17, 2016**

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

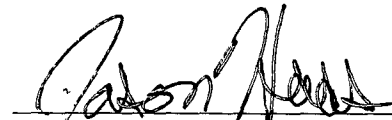
Karen S. Hubbard  
Managing Attorney



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1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7255  
(512) 936-7268 (facsimile)

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 17, 2016 in accordance with 16 Tex. Admin. Code § 22.74.

  
Jason Haas

## PUC Interoffice Memorandum

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**To:** Jason Haas  
Legal Division

**Thru:** Tammy Benter, Director  
Lisa Fuentes, Work Lead  
Water Utilities Division

**From:** Ricky Herrera, Staff Engineer  
Gary Horton, Jr., GIS Specialist  
Water Utilities Division

**Date:** October 12, 2016

**Subject:** **Docket 46300**, *Application of Dal-High Water Supply Company and L&T Water Works for Sale, Transfer, or Merger of Facilities and Certificate Rights in Henderson County*

On August 22, 2016, L&T Water Works, LLC (L&T) and Dal-High Water Supply Company (Dal-High) (Collectively, Applicants) filed an application with the Public Utility Commission of Texas (Commission) for sale, transfer, or merger of facilities and certificate rights in Henderson County, Texas. Specifically, L&T seeks approval to acquire all of the water assets and service area of Dal-High and to cancel Dal-High's water Certificate of Convenience and Necessity (CCN) No. 12830. The application is being reviewed for administrative completeness pursuant to Texas Water Code Ann. (TWC), §§ 13.242 to 13.250 and the 16 Tex. Admin Code (TAC) §§ 24.101 to 24.107

Dal-High filed notice documentation with the Commission on October 7, 2016. Staff has reviewed the documentation and notes the filing did not include a list of the notice recipients.

In order to continue to processing the application, Staff recommends the Applicant be ordered to file the list of the current customers, neighboring systems and cities who received mailed notice of the application.