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DOCKET NO. 46452

**APPLICATION OF ALTOGA WATER §
SUPPLY CORPORATION AND §
NORTH COLLIN COUNTY SPECIAL §
UTILITY DISTRICT FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN COLLIN COUNTY §**

**PUBLIC UTILITY COMMISSION 2018 FEB 16 AM 11:13
OF TEXAS**

**ORDER NO. 5
APPROVING TRANSACTION TO PROCEED; AND GRANTING EXTENSION**

This Order addresses Commission Staff's February 14, 2018, recommendation and request for extension of time.

Commission Staff recommended that Altoga Water Supply Corporation and North Collin County Special Utility District (collectively, applicants) be allowed to proceed with this transaction, file documentation as evidence that all assets have been transferred, and address the disposition of any remaining customer deposits. Commission Staff stated, because a hearing in this matter had been requested, the latest documented effective date was January 1, 2017, by its own terms but that the effective date does not conform to Commission rules. Specifically, the last date notice was mailed was December 2, 2016, and, because a hearing was requested but is no longer required, the transaction may now be completed as proposed.

Consistent with Commission Staff's recommendation, the transaction between applicants may proceed and be consummated. As soon as possible after the effective date of the transaction, but not later than 30 days after the effective date, the applicants shall file proof that the transaction has been consummated and customer deposits have been addressed. The applicants have 180 days to complete the transaction. Under 16 Texas Administrative Code § 24.109(o), if the transaction is not consummated within this period, or an extension granted, this approval is void and the applicants will have to reapply for approval. The applicants are advised that certificate of convenience and necessity number 12580 will continue to be held by Altoga until the sale and transfer transaction is complete in accordance with the Commission's rules.

Beginning March 15, 2018, and continuing monthly thereafter, the applicants shall file an update regarding the status of the efforts to conclude the transaction and submit documents evidencing that the transaction was consummated.

Commission Staff requested additional time for the transaction to be approved, to secure consents of final certificates and maps, and to prepare and file a joint motion to admit evidence along with proposed finding of fact, conclusions of law, and ordering paragraphs.

Commission Staff's request for extension is granted. Not later than 10 days following the filing of applicants' closing documentation, Commission Staff shall file a recommendation regarding the sufficiency of the closing documentation. Along with that recommendation Commission Staff shall propose deadlines for filing applicants' consent forms and joint motion to admit evidence along with proposed findings of fact, conclusions of law, and ordering paragraphs.

Signed at Austin, Texas the 16th day of February 2018.

PUBLIC UTILITY COMMISSION OF TEXAS



IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT