



Control Number: 46472



Item Number: 14

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APPLICATION OF MJ WOOTAN §
(ESTATE) AND DEER COUNTRY §
WATER SUPPLY CORPORATION §
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN LLANO COUNTY §

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PUBLIC UTILITY
COMMISSION OF TEXAS
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COMMISSION STAFF'S AMENDED SUPPLEMENTAL PROCEDURAL SCHEDULE

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files its Supplemental Procedural Schedule. In support of its Supplemental Procedural Schedule, Staff states the following:

I. Background

The Estate of MJ Wootan and Deer Country Water Supply Corporation request the approval of the sale and transfer of certain water assets and a corresponding water certificate of convenience and necessity (CCN No. 12465) for a certificated service area in Llano County, Texas. The Estate of MJ Wootan is the seller, and Deer Country Water Supply Corporation is the purchaser.

On November 22, 2016, the Administrative Law Judge issued Order No. 3, which deemed the Estate of MJ Wootan and Deer Country Water Supply Corporation's application administratively complete. Order No. 3 also required Staff to file a procedural schedule by January 23, 2017. Staff's Supplemental Procedural Schedule is timely filed.

On December 8, 2016, the Estate of MJ Wootan and Deer Country Water Supply Corporation filed an affidavit regarding the provision of notice. The Estate of MJ Wootan and Deer Country Water Supply Corporation provided notice of their application to affected entities on December 5, 2016.

Under Order No. 3, the intervention deadline is thirty (30) days from when The Estate of MJ Wootan and Deer Country Water Supply Corporation provided notice of their application to affected entities, which is January 4, 2017. To date, no parties have intervened.

II. Applicable Rules

The Commission's rules require that within 120 days of the notification period, the

Commission shall either approve a sale and transfer application administratively or require a hearing to determine if a sale and transfer transaction serves the public interest.¹ This 120-day period begins on the last date of whichever of the following events occur:

1. The application filing date;²
2. The last date the applicant mailed required notice; or
3. The last date of publication of notice.³

Thus, the 120-day deadline to administratively approve the Estate of MJ Wootan and Deer Country Water Supply Corporation's application or require a hearing is April 4, 2017.

III. Supplemental Procedural Schedule

Staff has reviewed the affidavit filed by the Estate of MJ Wootan and Deer Country Water Supply Corporation, and Staff recommends that the Commission deem notice of the application to be sufficient. Additionally, to assist in the processing of this proceeding, Staff requests that the Commission adopt the following procedural schedule:

Event	Deadline
Deadline for Commission Staff to file its recommendation or request a hearing	February 21, 2017
Deadline for parties to respond to Staff's recommendation	March 7, 2017
If no response to Staff's recommendation filed, deadline for parties to file a proposed notice of approval	March 14, 2017
120-day deadline for Commission action (120 days from the December 5, 2016 provision of notice)	April 4, 2017

¹ See generally 16 Tex. Admin. Code § 24.109(e), (f).

² An application is not considered filed with the Commission until "the commission makes a determination of administrative completeness." 16 Tex. Admin. Code § 24.8(d).

³ 16 Tex. Admin. Code § 24.109(a)(1)-(3).

IV. Conclusion

Staff recommends that the Commission deem notice of the Estate of MJ Wootan and Deer Country Water Supply Corporation's application to be sufficient and to adopt the above-mentioned supplemental procedural schedule.

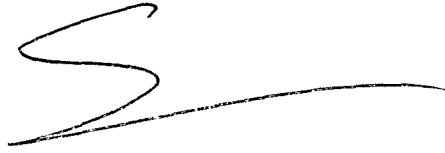
Date: January 23, 2017

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division



Sam Chang
State Bar No. 24078333
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7261
(512) 936-7268 (facsimile)

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 23, 2017, in accordance with 16 TAC § 22.74.



Sam Chang