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APPLICATION OF CHUCK BELL DBA	§	PUBLIC UTILITY COMMISSION OF TEXAS PUBLIC UTILITY COMMISSION FILING CLERK 2017 MAR 27 AM 9:36
CHUCK BELL WATER SYSTEM, LLC	§	
AND UNDINE TEXAS, LLC FOR SALE,	§	
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN JOHNSON AND TARRANT	§	
COUNTIES	§	
	§	

**COMMISSION STAFF'S FIRST ADMINISTRATIVE COMPLETENESS
RECOMMENDATION**

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this response to Order No. 1, Staff's First Administrative Completeness Recommendation. Staff recommends that the application be found deficient at this time. In support thereof, Staff shows the following:

I. BACKGROUND

On March 27, 2017, Chuck Bell d/b/a Chuck Bell Water System, LLC (Chuck Bell) and Undine Texas, LLC (Undine) (collectively, Applicants) filed an application (the Application) with the Commission for sale, transfer, or merger (STM) of facilities and certificate rights in Johnson and Tarrant Counties, Texas. Undine seeks approval to acquire all of the water assets and certificate rights of Chuck Bell held under water Certificate of Convenience and Necessity (CCN) No. 12190.

On March 30, 2017, the Commission administrative law judge (ALJ) issued Order No. 1, requiring Staff to file its recommendation regarding the administrative completeness of the Application by April 27, 2017. Therefore, this pleading is timely filed.

II. DEFICIENCY RECOMMENDATION

As indicated in the attached memorandum of Sean Scaff of the Water Utilities Division, Staff reviewed the materials submitted by the Applicants and determined that the Application is not sufficient. The maps submitted with the application did not comply with Commission requirements. First, the Applicants must submit the following maps: (1) a general location map identifying each requested area in reference to the nearest county boundary, city, or town; and (2) revised detailed maps which identify each requested area with reference to verifiable man-

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made and natural landmarks, such as roads, rivers, and railroads. Second, the Applicants must clarify the total acreage for the requested area(s) and the total number of customer connections to be transferred from Chuck Bell to Undine. Third, the Applicants must provide a list of licensed operational staff that will be hired to operate the proposed areas. That list must include the operator's name, license number, and the class of their license (i.e. Class A, B, C, or D).

Because the Application currently lacks correct maps and the other identified information, Staff recommends that the Application be found deficient and accordingly administratively incomplete at this time and that the Applicants be ordered to file a supplement addressing these deficiencies.

III. PROCEDURAL SCHEDULE

Due to the deficiencies in the Application, Staff does not recommend a procedural schedule for the evaluation of the merits of the Application at this time. Staff recommends that the Applicants be given until May 18, 2017 to cure the identified deficiencies in the Application and that Staff be given until June 1, 2017 to file a supplemental administrative completeness recommendation.

Furthermore, pursuant to 16 TAC § 24.8(d), an application is not considered filed until the Commission makes a determination of administrative completeness. If the ALJ agrees with Staff's deficiency recommendation, then the Application is not administratively complete and therefore the Application is not considered filed.

IV. CONCLUSION

For the reasons stated above, Staff respectfully recommends that the Application be found insufficient and that the Applicants be ordered to file a supplement addressing the deficiencies identified by May 18, 2017.

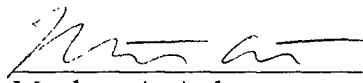
Dated: April 27, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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PUC DOCKET NO. 46996

CERTIFICATE OF SERVICE

I, Matthew Arth, staff attorney for the Public Utility Commission of Texas, certify that a copy of this document was served on all parties of record in this proceeding on April 27, 2017 pursuant to 16 Tex. Admin. Code § 22.74.


Matthew A. Arth

PUC Interoffice Memorandum

To: Matthew Arth, Attorney
Legal Division

Through: Lisa Fuentes, Manager
Water Utilities Division

From: Sean Scaff, Engineering Specialist
Water Utilities Division

Date: April 25, 2017

Subject: **Docket No. 46996:** *Application of Chuck Bell d/b/a Chuck Bell Water System, LLC and Undine Texas, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Johnson and Tarrant Counties*

On March 27, 2017, Chuck Bell d/b/a Chuck Bell Water System, LLC (Chuck Bell or Seller) and Undine Texas, LLC (Undine or Buyer), (Collectively Applicants), filed an application for a sale, transfer, merger (STM) of facilities and Certificate of Convenience and Necessity (CCN) rights in Johnson and Tarrant Counties, Texas, pursuant to Texas Water Code § 13.301 (TWC) and the 16 Tex. Admin. Code §§ 24.109 and 24.112 (TAC). Specifically, Undine seeks approval to acquire facilities and transfer customers and CCN No. 12190 from Chuck Bell.

Based on a review of the information in the application, Staff recommends that the application be deemed insufficient for filing and found administratively incomplete due to the deficiencies detailed below.

Administrative Completeness

The Applicants must file the following items to resolve the mapping deficiencies:

- A general location map identifying each requested area in reference to the nearest county boundary, city, or town.
- Revised detailed maps identifying each requested area in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Clarification of the *total acreage* for all requested areas and *number of customer connections* to be transferred from Chuck Bell to Undine. This information is required for the notice documents.

The Applicants must also provide a list of licensed operational staff that will be hired to operate the proposed areas. The list must contain the operator's name, license number and class of license (i.e. A, B, C, D).