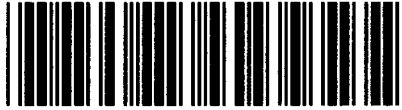




Control Number: 47027



Item Number: 17

Addendum StartPage: 0

DOCKET NO. 47027

**APPLICATION OF AQUA WATER
SUPPLY CORPORATION AND
FAYETTE WATER SUPPLY
CORPORATION FOR SALE,
TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN BASTROP COUNTY**

§
§
§
§
§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

2017 OCT -6 AM 9:49

FILED

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. In support thereof, Staff would show the following:

I. BACKGROUND

On April 4, 2017, Aqua Water Supply Corporation (Aqua) and Fayette Water Supply Corporation (Fayette) (collectively, Applicants) filed an application for approval of a sale, transfer, or merger of facilities and certificate rights in Bastrop County. Specifically, Aqua and Fayette have agreed to transfer a portion of Aqua's water certificate of convenience and necessity (CCN) No. 10294 to Fayette's water CCN No. 10726 to allow Fayette to provide water service to residents who are currently without potable water service.

On August 29, 2017, the Administrative Law Judge (ALJ) issued Order No. 4, finding the application administratively complete and requiring the Applicants to issue notice. The Applicants filed proof of notice on September 28, 2017. Order No. 4 also required Staff to file a recommendation on sufficiency of notice within ten days of the Applicants filing proof of notice. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON SUFFICIENCY OF NOTICE

Staff has reviewed the Applicants' proof of notice filed on September 28, 2017. The proof of notice included a notarized affidavit attesting to the provision of notice, a copy of the notice issued, and a list of the entities to whom notice was issued. Accordingly, Staff recommends that the Applicants' notice be found sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	September 14, 2017
Deadline for intervention ¹	October 16, 2017
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	November 16, 2017
Deadline for parties to file a response to Staff's recommendation	November 30, 2017
120 day deadline for the Commission to approve the sale or require a hearing ²	January 12, 2018

IV. CONCLUSION

Staff respectfully recommends that the Applicants' notice be deemed sufficient and that the above proposed procedural schedule be adopted.

¹ Pursuant to 16 Tex. Admin. Code § 24.109(b) (TAC), the intervention period shall not be less than 30 days unless for good cause shown. Notice was mailed on September 14, 2017. Thirty days after September 14, 2017 is Saturday, October 14, 2017. Pursuant to 16 TAC § 22.4(a), a period that would conclude on a day which the Commission is not open for business shall conclude on the next day that the Commission is open for business. Because October 14, 2017 is a day when the Commission is not open for business, the next business day is Monday, October 16, 2017.

² Pursuant to 16 TAC § 24.109(a), the deadline for Commission action is 120 days after the later of either when the application is filed, when notice was mailed, or when notice is published. One hundred and twenty days after September 14, 2017 is January 12, 2018.

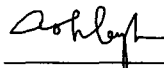
DATED: October 6, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

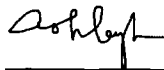


Ashley Nwonuma
State Bar No. 24096650
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7163
(512) 936-7268 (facsimile)
ashley.nwonuma@puc.texas.gov

DOCKET NO. 47027

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 6th of October, 2017, in accordance with. 16 TAC § 22.74.



Ashley Nwonuma