

Control Number: 47112



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**DOCKET NO. 47112**

**APPLICATION OF PARKER CREEK §  
ESTATES, LP AND CITY OF ROYSE §  
CITY FOR SALE, TRANSFER, OR §  
MERGER OF FACILITIES AND §  
CERTIFICATE RIGHTS IN §  
ROCKWALL COUNTY §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION  
ON ADMINISTRATIVE COMPLETENESS**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Supplemental Recommendation on Administrative Completeness in Response to Order No. 2 and would show the following:

**I. BACKGROUND**

On May 1, 2017, Parker Creek Estates LP (Parker Creek) and the City of Royse City (City) (collectively, Applicants) filed an application for sale, transfer, or merger of facilities and certificate rights in Rockwall County, Texas. Specifically, the City seeks to acquire all of Parker Creek's facilities and certificate rights under water certificate of convenience and necessity (CCN) No. 13071 and sewer CCN No. 20968. Parker Creek filed supplements to its application on July 6, 2017, and July 10, 2017.

On June 5, 2017, Order No. 2 was issued, establishing a deadline of August 4, 2017 for Staff to file a supplemental recommendation on the administrative completeness of the application and notice and propose a procedural schedule for further processing of the application. This pleading is therefore timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Debbie Reyes Tamayo in the Commission's Water Utility Regulation Division, Staff has reviewed the application and supplemental information filed by Parker Creek, and recommends that it be found administratively complete.

### **III. PROCEDURAL SCHEDULE**

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for Applicants to file proof of notice with the Commission	September 7, 2017
Deadline for Staff to file a recommendation on sufficiency of notice	Within 10 days of Applicant filing proof of completed notice with the Commission
Deadline to intervene	30 days after notice is issued

### **IV. CONCLUSION**

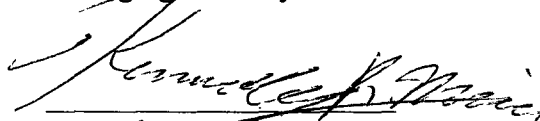
Staff respectfully requests the entry of an order consistent with the above recommendation.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 4<sup>th</sup> of August, 2017 in accordance with 16 TAC § 22.74.

  
Kennedy R. Meier

## PUC Interoffice Memorandum

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**To:** Kennedy Meier, Attorney  
Legal Division

**Thru:** Lisa Fuentes, Manager  
Water Utility Regulation

**From:** Debbie Reyes Tamayo, Program Specialist  
Water Utility Regulation

**Date:** August 4, 2017

**Subject:** **Docket 47112**, *Application of Parker Creek Estates, LP and City of Royse City for Sale, Transfer, or Merger of Facilities and Certificate Rights in Rockwell County*

On May 1, 2017, City of Royse City (Royse City or Buyer), CCN Nos. 12827 and 20813 and Parker Creek Estates, LP (Parker Creek or Seller), CCN Nos. 13071 and 20968, (collectively, Applicants) filed an application for the Sale, Transfer, or Merger (STM) of facilities and certificate rights in Rockwell County, Texas, pursuant to Texas Water Code Ann. (TWC) § 13.301 and 16 Tex. Admin Code (TAC) § 24.109. Specifically, Royse City seeks approval to acquire all of Park Creek Estates, LP's facilities and service area and to cancel Parker Creek's CCN Nos. 13071 and 20968.

Staff has reviewed the information provided and recommends that the application be deemed administratively complete and sufficient for filing. Staff recommends the Applicants be directed to provide notice as described below.

- 1) The Applicants should provide notice to the following:
  - a. any districts, utilities, and cities within two (2) miles of the requested area;
  - b. the county judge of each county and each groundwater conservation district that is wholly or partly included in the requested area to be certified;
  - c. each city with an extraterritorial jurisdiction (ETJ) that is wholly or partly included in the requested area to be certified;
  - d. any customers transferred, or other affected parties in the requested area.
- 2) The Applicant must also notice the following:
  - BHP WSC (CCN No. 10064)
  - Blackland WSC (CCN No. 11305)
  - Cash SUD (CCN No. 10824)
  - City of Fate (CCN Nos. 12889 and 20856)
  - North Texas MWD
  - Parker Creek MUD
  - Rockwall County Judge
  - Rockwall County MUD 7

The Applicants should include a map showing the proposed service area with the individual notices to neighboring utilities and other affected parties. It is the Applicant's burden to provide an accurate map delineating the proposed area with each individual notice. Information related to districts including addresses can be obtained by the Applicant from the TCEQ web site located at <http://www14.tceq.texas.gov/iwud/>.

Within 30 days of the Commission order, Staff recommends that the Applicants be required to file a copy of the actual individual notice sent with attached signed and notarized affidavit that the notice was given.

***Notice to Current Customers, Neighboring Systems and Cities***

**CITY OF ROYSE CITY CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)  
NOS. 12827 AND 20813 NOTICE OF INTENT TO PURCHASE FACILITIES OF PARKER  
CREEK ESTATES LP AND TO CANCEL CCN NOS. 13071 AND 20968 IN ROCKWALL  
COUNTY**

<u>Parker Creek Estates LP</u>	<u>8222 Douglas Ave Suite 660</u>	<u>Dallas, Texas</u>	<u>75225-5937</u>
(Seller's or Transferor's Name)	(Address)	(City) (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas for approval to sell facilities, transfer, and cancel water and sewer service under CCN Nos. 13071 and 20968 in Rockwall County to:

<u>City of Royse City</u>	<u>PO Box 638</u>	<u>Royse City, TX</u>	<u>75189-0638</u>
(Purchasers or Transferee's Name)	(Address)	(City) (State)	(Zip Code)

The sale is scheduled to take place as approved by the Commission. (V.T.C.A, Water Code §13.301) The transaction and the proposed service area include the following subdivision:

**Parker Creek Estates**

The area subject to this transaction is located approximately 3 miles south of downtown Royse City, Texas and is generally bounded on the north by FM 548 and Crenshaw Road; on the east by Crenshaw Road; on the south by Parker Creek and on the west by FM 548 and Parker Creek.

The total water service area being requested includes approximately 200 acres and serves 0 current customers.

The total sewer service area being requested included approximately 310 acres and serves 0 current customers.

This transaction will have the following effect on the current customers' rates and services:

There are no current customers, however future customers will be charged City of Royse City water and sewer rates.

You may request a public hearing. A request for a public hearing must be in writing and include: (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, docket number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application which would satisfy your concerns and cause you to withdraw your request for a hearing.

Hearing requests, comments or requests to intervene should be filed with the:

Public Utility Commission of Texas  
Central Records  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request will receive notice if a hearing is scheduled.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Se desea informacion en Espanol, puede llamar al  
512-936-7221

Carl Alsabrook, City Manager 972-636-2250  
Utility Representative

City of Royse City  
Utility Name



# PUBLIC UTILITY COMMISSION



## AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES

Docket No. 47112

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual  
notice to the following entities and customers:

DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is,  
owner, member of partnership, title of officer of corporation, or other authorized representative of  
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am  
personally familiar with the notices given with this application, and have complied with all notice  
requirements in the application and application acceptance letter; and that all such statements made  
and matters set for therein are true and correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,  
or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_