



Control Number: 47113



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DOCKET NO. 47113

**APPLICATION OF BLACKLAND §
WATER SUPPLY CORPORATION §
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 RECOMMENDATION ON NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Notice in Response to Order No. 3 and would show the following:

I. BACKGROUND

On May 1, 2017, Blackland Water Supply Corporation (Blackland) 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 a portion of Blackland’s facilities and certificate rights under water certificate of convenience and necessity (CCN) No. 11305. Blackland filed supplements to its application on July 6, 10, and 11, 2017.

On August 8, 2017, Order No. 3 was issued, finding the application administratively complete and establishing a deadline of ten days from the filing if proof of notice documentation for Staff to file a recommendation on sufficiency of notice. Proof of notice documentation was filed on August 10, 2017. Ten days from August 10 is Sunday, August 20. Under 16 Texas Administrative Code (TAC) § 22.4(a), this pleading is therefore timely filed.

II. NOTICE

As detailed in the attached memorandum from Debbie Reyes Tamayo in the Commission’s Water Utility Regulation Division, Staff has reviewed the proof of notice documentation that has been filed and recommends that the notice be deemed sufficient.

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III. PROCEDURAL SCHEDULE

Staff recommends the notice be found sufficient. Staff therefore proposes the following procedural schedule:

| Event | Date |
|---|--------------------------------|
| Notice completed | August 8, 2017 |
| Deadline for intervention | September 7, 2017 ¹ |
| Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment | October 13, 2017 |
| Deadline for parties to file a response to Staff's recommendation | October 27, 2017 |
| 120 day deadline for the Commission to approve the sale or require a hearing | December 6, 2017 ² |

IV. CONCLUSION

Consistent with the above discussion, Staff recommends that the notice be deemed sufficient and that the procedural schedule proposed above be adopted for further processing of this application.

¹ Under 16 TAC § 24.106(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on August 8, 2017. Published notice was not required. Therefore, 30 days after August 8 is September 7, 2017.

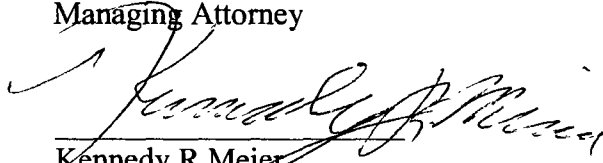
² Under 16 TAC § 24.109, the deadline for Commission action is 120 days after the later of either when the application is filed, when notice was mailed, or when notice is published. One hundred and twenty days after August 8, 2017 is December 6, 2017.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

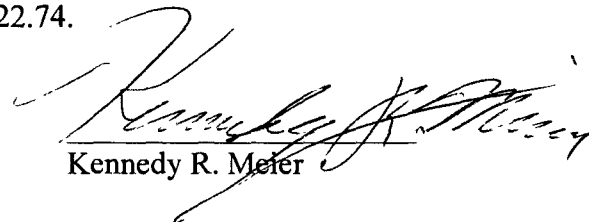


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 18th of August, 2017 in accordance with 16 TAC § 22.74.



Kennedy R. Meier

PUC Interoffice Memorandum

To: Kennedy Meier, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

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

Date: August 16, 2017

Subject: **Docket 47113**, *Application of Blackland Water Supply Corporation 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), Certificate of Convenience and Necessity (CCN) No. 12827 and Blackland Water Supply Corporation (Blackland WSC or Seller), CCN No. 11305, (collectively, Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities in Rockwell County, Texas, pursuant to Texas Water Code (TWC) §§ 13.241, 13.246, 13.301 and 16 Tex. Admin. Code §§ 24.102 and 24.109. Specifically, Royse City seeks approval to acquire a portion of water system assets and water service area from Blackland WSC.

Notice to neighboring systems, landowners and cities was mailed on August 8, 2017, in Rockwall County in accordance with 16 TAC § 24.106(b)(1) and (b)(2) and 16 TAC § 24.109. The affidavit of notice was received by the Commission on August 10, 2017. The comment period ends September 7, 2017. Staff has reviewed the notice documents and finds them sufficient.