



Control Number: 47283



Item Number: 8

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**DOCKET NO. 47283**

**APPLICATION OF RANCHLAND  
PROPERTY OWNERS ASSOCIATION,  
INC. AND CITY OF KOUNTZE FOR  
SALE AND TRANSFER OF FACILITIES  
AND CERTIFICATE RIGHTS IN  
HARDIN COUNTY**

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**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 Commission Staff's Recommendation on Notice. In support thereof, Staff shows the following:

**I. BACKGROUND**

On June 14, 2017, Ranchland Property Owners' Association, Inc. (Ranchland) and the City of Kountze (Kountze) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Hardin County, Texas. Specifically, Kountze seeks to acquire all of the water assets and certificated service area of Ranchland under water certificate of convenience and necessity (CCN) No. 12945. The area being requested is approximately 220 acres and serves 15 current customers.

On June 20, 2017, Order No. 1 was issued, establishing a deadline of June 14, 2017 for Staff to file a recommendation on the administrative completeness of the application and notice and propose a procedural schedule for further processing of the application. On June 14, 2017, Staff filed a recommendation recommending that the application be deemed administratively complete. Order No. 2, issued July 18, 2017, found the application administratively complete and established a procedural schedule. Applicants timely filed affidavits of notice on July 24, 2017. Order No. 2 required Staff to file a recommendation on notice by August 21, 2017. Therefore, this pleading is timely filed.

**II. RECOMMENDATION ON NOTICE**

Staff has reviewed Applicants' affidavits of notice and, as supported by the attached memorandum of Andrew Novak of the Water Utilities Division, Staff recommends that notice is

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sufficient. Applicants provided notice to customers, neighboring systems, and affected parties in Hardin County on July 20, 2017 in accordance with 16 Tex. Admin. Code § 24.109(d) (TAC).

### **III. PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Notice completed	July 20, 2017
Deadline for intervention	August 21, 2017 <sup>1</sup>
Deadline for Staff to request a hearing or file a final recommendation on the approval of the sale and on the CCN amendment	September 20, 2017
Deadline for parties to file a response to Staff's recommendation	October 6, 2017
120 day deadline for the Commission to approve the sale or require a hearing	November 17, 2017 <sup>2</sup>

### **IV. CONCLUSION**

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

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<sup>1</sup> Pursuant to 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 July 20, 2017. Therefore, 30 days after July, 2017 is August 19, 2017. August 19, 2017 is a Saturday, a day the Commission is not open for business, therefore pursuant to 16 TAC § 22.4(a), the intervention deadline is Monday, August 21, 2017.

<sup>2</sup> Pursuant to 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 was published. One hundred and twenty days after July 20, 2017 is November 17, 2017.

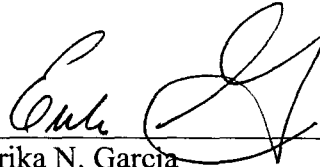
Dated: August 21, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director


Karen S. Hubbard  
Managing Attorney

A handwritten signature in black ink, appearing to read 'Erika N. Garcia', written over a horizontal line.

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**DOCKET NO. 47283  
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record August 21, 2017, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to read 'Erika N. Garcia', written over a horizontal line.

Erika N. Garcia

## PUC Interoffice Memorandum

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**To:** Erika Garcia  
Legal Division

**Thru:** Lisa Fuentes, Manager  
Water Utilities Division

**From:** Andrew Novak, Financial Analyst  
Water Utilities Division

**Date:** July 27, 2017

**Subject:** **Docket 47283**, *Application of Ranchland Property Owners Association and City of Kountze for Sale and Transfer of Facilities and Certificate Rights in Hardin County.*

On June 14, 2017, City of Kountze (The City) and Ranchland Property Owners Association (Ranchland) (Collectively, Applicants) filed an application for the sale and transfer of facilities and certificate rights of water Certificate of Convenience and Necessity (CCN) No. 12945 in Hardin County.

In response to Commission Order No. 2, the Applicants provided public notice to customers, neighboring systems, and affected parties in Hardin County on July 20, 2017. The affidavit of notice was filed with the Commission on July 24, 2017. Staff has reviewed the notice documents and recommends the notice be deemed sufficient.