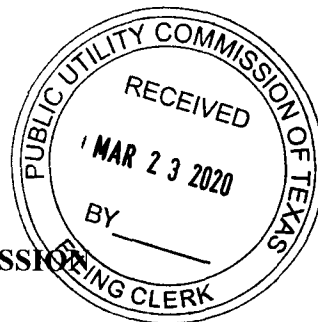


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DOCKET NO. 49714

**APPLICATION OF CEDAR CREEK
WATER SUPPLY AND MEGAN
ESTES FOR SALE, TRANSFER, OR
MERGER OF FACILITIES AND
CERTIFICATE RIGHTS IN
LIMESTONE COUNTY**

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PUBLIC UTILITY COMMISSION

OF TEXAS

**COMMISSION STAFF'S CLOSING DOCUMENTS SUFFICIENCY
RECOMMENDATION AND MOTION TO REQUIRE E-MAIL SERVICE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 7, files this Closing Documents Sufficiency Recommendation and Motion to Require E-Mail Service. In support thereof, Staff shows the following:

I. BACKGROUND

On July 9, 2019, Cedar Creek Water Supply (Cedar Creek) and Megan Estes (Estes) (collectively, Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities and certificate rights in Limestone County. Specifically, Applicants seek to transfer all of Cedar Creek's water service area and the associated Certificate of Convenience and Necessity (CCN) number 12677 to Estes. The requested transfer includes approximately 100 acres with 50 current customers. Applicants filed supplemental information on July 24, 2019.

On March 13, 2020, the ALJ issued Order No. 7 approving the sale to proceed and establishing a deadline for Staff to file a recommendation regarding the sufficiency of closing documents and to propose a schedule for continued processing of this docket within 15 days following the filing of the applicant's proof that the transaction had been consummated. Applicant's filed proof that the transaction had been consummated on March 17, 2020. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents filed by Applicants on March 17, 2020. Based on its review, Staff has determined that Applicants' filing meets the requirements of 16 Tex. Admin. Code (TAC) §§ 24.239(k)-(n).

Applicants also stated that there were no customer deposits held by Seller. As such, no customer deposits were transferred pursuant to the current transaction.

Accordingly, based upon Applicants' completion of the requirements, as stated in the Commission rules, Staff recommends a finding that the closing documents be found sufficient and that there are no customer deposits to address as a result of the transaction.

III. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Applicants' closing documents be found sufficient, Staff proposes the following procedural schedule for continued processing of the docket:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent	April 20, 2020
Deadline for Applicants to file signed consent forms with the Commission	April 27, 2020
Deadline for parties to jointly file a proposed Notice of Approval, including proposed findings of fact, conclusions of law and ordering paragraphs	May 27, 2020

IV. MOTION TO REQUIRE EMAIL SERVICE

Pursuant to 16 TAC § 22.74(c), the presiding officer may require service by email on motion of a party. On March 16, 2020, the Commission issued an Order Suspending Rules in Docket No. 50664, Issues Related to the State Disaster for the Coronavirus Disease 2019. The Order stated in relevant part: "all parties must file any pleading or document with the Commission

solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer.”¹

Accordingly, Staff requests that the Commission Administrative Law Judge issue an order requiring service by electronic mail in this docket. Staff further requests that the Order direct any party to this proceeding who has not previously provided an email address to file a notice informing the parties of the email address to be used for service.

V. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued finding that the closing documents filed by Applicants are sufficient and that there are no customer deposits to address as a result of the transaction. Staff further requests that the procedural schedule proposed above be adopted for continued processing of this docket and that Staff's motion to require email service be granted.

¹ *Issues Related to the State of Disaster for the Coronavirus Disease 2019*, Docket 50664, Order Suspending Rules (March 16, 2020).

Dated: March 23, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on March 23, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664

/s/ Rustin Tawater
Rustin Tawater