



Control Number: 48060



Item Number: 14

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RECEIVED

APPLICATION OF DJL VENTURES, §  
INC. DBA KAP WATER SUPPLY AND §  
SWWC UTILITIES, INC. DBA WATER §  
SERVICES, INC. FOR THE §  
TRANSFER OF SERVICE AREA §  
RIGHTS IN COMAL COUNTY §

PUBLIC UTILITY COMMISSION  
OF TEXAS  
2018 JUN 1 AM 9:21  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**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 and would show the following:

**I. BACKGROUND**

On February 13, 2018, DJL Ventures, Inc. d/b/a KAP Water Supply (KAP) and SWWC Utilities, Inc. d/b/a Water Services, Inc. (Water Services) filed an application for the transfer of service area rights in Comal County. Specifically, Water Services seeks approval to transfer all of KAP's water service area rights in Comal County to Water Services' Certificate of Convenience and Necessity (CCN) No. 11106. The total area being requested includes approximately 14 acres with zero current customers.

Order No. 3, issued May 14, 2018, required Staff to file a recommendation on the sufficiency of notice within 10 days of Water Services filing proof of completed notice. Water Services filed its proof of notice on May 22, 2018. Therefore, this pleading is timely filed

**II. RECOMMENDATION ON NOTICE**

Staff has reviewed the affidavit of notice filed by Water Services on May 22, 2018, and recommends that it be found sufficient. Notice was mailed to neighboring utilities and other affected parties on May 18, 2018.

### III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

	<b>Event</b>	<b>Date</b>
	Notice completed	May 18, 2018
	Deadline for intervention	June 18, 2018 <sup>1</sup>
	Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	July 18, 2018
	Deadline for parties to file a response to Staff's recommendation	August 1, 2018
	120 day deadline for the Commission to approve the sale or require a hearing	September 17, 2018 <sup>2</sup>

### IV. CONCLUSION

Staff respectfully recommends that Water Services' notice be found sufficient and that the procedural schedule proposed above be adopted.

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<sup>1</sup> Pursuant to 16 Tex. Admin. Code (TAC) § 24.109(b), the intervention period shall not be less than 30 days unless good cause is shown. Thirty days from May 18, 2018, is Sunday, June 17, 2018. Because the Commission is not open for business on Sunday, the intervention deadline is Monday, June 18, 2018, under 16 TAC § 22.4.

<sup>2</sup> Pursuant to 16 TAC § 24.109(a), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after May 18, 2018, is Saturday, September 15, 2018. Accordingly, the deadline for Commission action is Monday, September 17, 2018, under 16 TAC § 22.4.

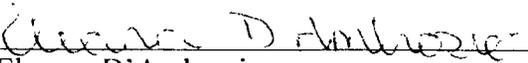
Dated: June 1, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

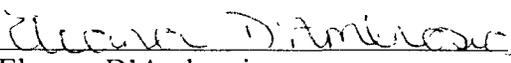
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**DOCKET NO. 48060  
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on June 1, 2018,  
in accordance with 16 TAC § 22.74.

  
Eleanor D' Ambrosio