

Control Number: 48103



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**DOCKET NO. 48103**

**APPLICATION OF FALL CREEK  
UTILITY COMPANY, INC. AND  
LGRVR WATER SUPPLY  
CORPORATION FOR SALE,  
TRANSFER, OR MERGER OF  
FACILITIES AND CERTIFICATE  
RIGHTS IN HOOD COUNTY**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION  
ON PROOF OF SALE DOCUMENTATION**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Proof of Sale Documentation in response to Order No. 5. In support thereof, Staff shows the following:

**I. BACKGROUND**

On February 26, 2018, LGRVR Water Supply Corporation (LGRVR WSC or Purchaser) and Fall Creek Utility Company, Inc. (Fall Creek or Seller) (collectively, Applicants) filed an application for sale, transfer, or merger of facilities and certificate rights in Hood County, Texas. Specifically, LGRVR WSC seeks approval to acquire facilities and to transfer Fall Creek's water and sewer service area under Certificate of Convenience and Necessity (CCN) Nos. 12884 (water) and 20854 (sewer). The requested area includes approximately 22 acres and 71 water and 69 sewer connections.

On January 4, 2019, Order No. 5 was issued, establishing a deadline of five working days from the filing of supplemental documentation for Staff to file a recommendation on the sufficiency of the proof of sale documentation. Applicants filed proof of sale documentation on December 21, 2018, and supplemental documentation on January 7, 2019. Five working days from January 7 is January 14, 2019. This pleading is therefore timely filed.

**II. RECOMMENDATION**

Staff has reviewed the proof of sale documentation as supplemented and recommends that the documentation be found sufficient. Applicants provided an executed bill of sale and asset transfer agreement, along with documentation from the Texas Commission on Environmental Quality confirming the transfer of the wastewater permit and documentation verifying that

outstanding customer deposits have been refunded to customers. Staff therefore recommends that the proof of sale documentation be found sufficient.

### **III. PROCEDURAL SCHEDULE**

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

<b>Event</b>	<b>Date</b>
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicants for review and consent	February 7, 2019
Deadline for Applicants to file signed consent forms with the Commission	February 21, 2019
Deadline for parties to file joint proposed findings of fact and conclusions of law	February 28, 2019

### **IV. CONCLUSION**

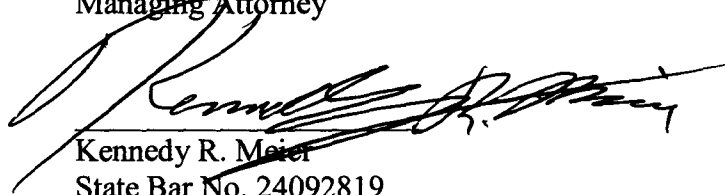
For the reasons detailed above, Staff recommends that the proof of sale documentation be found sufficient and that the procedural schedule proposed above be adopted for continued processing of this docket.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney

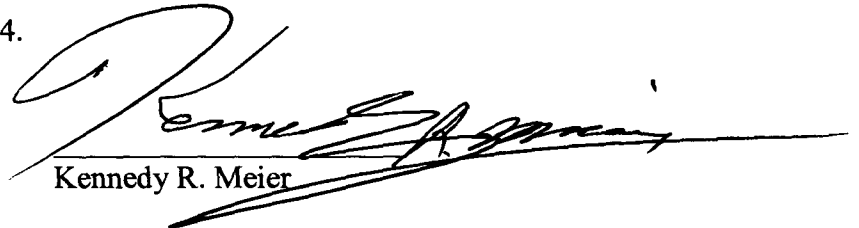


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on January 10, 2019, in accordance with 16 TAC § 22.74.



Kennedy R. Meier