



Control Number: 48111



Item Number: 10

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**DOCKET NO. 48111**

**APPLICATION OF H2O SYSTEMS  
PLUS/COLETO WATER SYSTEM  
AND JRM WATER, LLC DBA JRM  
TO TRANSFER FACILITIES AND  
CERTIFICATE RIGHTS IN  
VICTORIA COUNTY**

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§

**PUBLIC UTILITY COMMISSION**

**OF TEXAS**

2018-03-27 12:24 PM  
FILED  
CLERK

**COMMISSION STAFF'S RECOMMENDATION  
ON PROOF OF NOTICE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 2, files this Recommendation on Proof of Notice. In support thereof, Staff shows the following:

**I. BACKGROUND**

On February 27, 2018, H2O Systems Plus/Coleto Water System (H2O) and JRM Water, LLC dba JRM (JRM) (collectively, Applicants) filed an application for sale, transfer, or merger of facilities and certificate rights in Victoria County, Texas. Specifically, JRM seeks approval to acquire facilities and to transfer all water service area from H2O Systems Plus under water Certificate of Convenience and Necessity (CCN) No. 11548. The requested area includes approximately 437 acres and 211 connections.

On March 29, 2018, Order No. 2 was issued, establishing a deadline of 10 days from the filing of proof of notice documentation for Staff to file a recommendation on the sufficiency of the Applicants' notice. Applicants filed proof of notice documentation on April 2, 2018. Ten days from April 2 is April 12, 2018. This pleading is therefore timely filed.

**II. NOTICE**

Staff has reviewed Applicants' proof of notice and recommends that Applicants' notice be deemed sufficient. Applicants provided an executed affidavit of direct notice, along with representative copies of the actual notice provided and a list of entities that were noticed. Staff has reviewed this material and recommends that Applicants' notice be deemed sufficient.

### **III. PROCEDURAL SCHEDULE**

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

<b>Event</b>	<b>Date</b>
Notice completed	March 30, 2018
Deadline for intervention	April 30, 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	June 1, 2018
Deadline for parties to file a response to Staff's recommendation	June 15, 2018
120 day deadline for the Commission to approve the sale or require a hearing	July 28, 2018 <sup>2</sup>

### **IV. CONCLUSION**

For the reasons detailed above, Staff recommends that Applicants' notice be found sufficient. Staff further recommends that the procedural schedule proposed above be adopted for further processing of this docket.

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<sup>1</sup> 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 March 29 and March 30, 2018. Therefore, 30 days after March 30 is April 29, which is a Sunday. Therefore, under 16 TAC § 22.4(a), the intervention deadline is Monday, April 30, 2018.

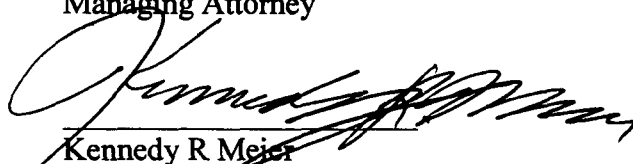
<sup>2</sup> Under 16 TAC § 24.109, the deadline for Commission action is 120 days after the later of either when the application is filed, when notice was mailed, or when notice is published. One hundred and twenty days after March 30, 2018 is July 28, 2018.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney

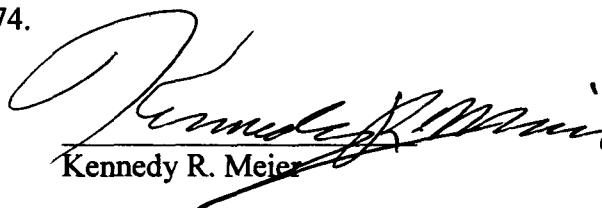


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on April 12, 2018, in accordance with 16 TAC § 22.74.



Kennedy R. Meier