

Control Number: 48296



Item Number: 32

Addendum StartPage: 0

APPLICATION OF CYNDIE PARK 2 §  
 WATER SUPPLY CORPORATION §  
 AND NUECES WATER SUPPLY §  
 CORPORATION FOR SALE, §  
 TRANSFER, OR MERGER OF §  
 FACILITIES AND CERTIFICATE §  
 RIGHTS IN NUECES COUNTY §

2019 MAY -8 PM 2:33  
 PUBLIC UTILITY COMMISSION  
 PUBLIC UTILITY COMMISSION  
 FILING CLERK  
 OF TEXAS

### COMMISSION STAFF'S REQUEST FOR EXTENSION

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this, Staff's Request for Extension. In support thereof, Staff shows the following:

#### I. BACKGROUND

On April 18, 2018, Cyndie Park 2 Water Supply Corporation (Cyndie Park 2) and Nueces Water Supply Corporation (Nueces WSC) (collectively, Applicants) filed an application for sale, transfer, or merger of facilities and certificate rights in Nueces County, Texas. Specifically, Cyndie Park 2 seeks to transfer its water service area and facilities under Certificate of Convenience and Necessity No. 12100 to Nueces WSC. The service area to be transferred includes 30.2 acres and 18 current customers.

On October 23, 2018, the Administrative Law Judge (ALJ) issued Order No. 7, approving the transaction to proceed. Because Nueces WSC had an outstanding violation with the Texas Commission on Environmental Quality (TCEQ), Order No. 7 required Nueces WSC to submit documentation from the TCEQ confirming that the violation has been resolved at least 14 days prior to filing proof of the transaction. Nueces WSC filed the letter from the TCEQ on January 29, 2019, confirming that the violation has been resolved.

Furthermore, Order No. 7 required Staff to file a recommendation within 15 days following the Applicants filing proof that the transaction has been consummated. Applicants filed proof of the transaction on April 17, 2019. Fifteen days after April 17, 2019 is May 2, 2019. On May 2, 2019, the ALJ extended Staff's deadline to file a recommendation to May 9, 2019. This pleading is therefore timely filed.

## **II. REQUEST FOR EXTENSION**

Pursuant to 16 Texas Administrative Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. The attorney for Nueces WSC has communicated to Staff that Nueces WSC intends to file a corrected Bill of Sale, Assignment, and Conveyance, including documentation that addresses customer deposits. Staff is still awaiting the documentation from Nueces WSC. Therefore, Staff respectfully requests that Staff's deadline to file a recommendation regarding the sufficiency of closing documentation be extended to ten (10) days after Nueces has filed its amended documentation with the Commission. Staff has contacted the attorney for Nueces WSC and is authorized to represent that Nueces WSC agrees to the extension.

## **III. CONCLUSION**

Staff respectfully requests the entry of an order extending Staff's deadline to file a recommendation on the sufficiency of closing documentation to ten (10) days after Nueces has filed its amended documentation with the Commission.

Date: May 8, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Stephen Mack  
Managing Attorney




---

Justine Isabelle Caedo Tan  
State Bar No. 24104914  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7163  
(512) 936-7268 (facsimile)  
Justine.Tan@puc.texas.gov

**DOCKET NO. 48296**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 8, 2019, in accordance with 16 TAC § 22.74.



---

Justine Isabelle Caedo Tan