



Control Number: 48296



Item Number: 6

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**DOCKET NO. 48296**

**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 §**

2018 MAY 10 AM 9:43  
**PUBLIC UTILITY COMMISSION**  
**OF TEXAS**

**COMMISSION STAFF'S RECOMMENDATION  
ON ADMINISTRATIVE COMPLETENESS**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness. Staff recommends that the application be deemed deficient and that the applicant be ordered to address the identified deficiencies. 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 number 12100 to Nueces WSC. The service area to be transferred includes 30.2 acres and 18 current customers.

On April 19, 2018, Order No. 1 was issued establishing a deadline of May 18, 2018, for Staff to file a recommendation on the administrative completeness of the application and notice and propose a procedural schedule for further processing of the application. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Sherrie Keyton, in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Specifically, Staff has identified deficiencies in the application content. Staff recommends that the Applicants submit additional application content, as described in Ms. Keyton's memorandum.

### **III. PROCEDURAL SCHEDULE**

Staff recommends that the application be found administratively incomplete. Therefore, Staff recommends that a deadline of June 19, 2018, be established for Applicants to supplement the application. Staff further recommends that a deadline of July 17, 2018, be established for Staff to review Applicants' supplemental information and make a supplemental recommendation on the administrative completeness of the application. Staff notes that the Applicants should not issue notice until the application is found administratively complete.

### **IV. CONCLUSION**

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete. Staff further recommends that the procedural schedule proposed above be adopted for further processing of this docket.

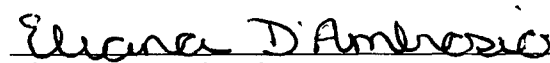
Dated: May 18, 2018

Respectfully Submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

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**DOCKET NO. 48296**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 18, 2018, in accordance with 16 Texas Administrative Code § 22.74.

Eleanor D'Ambrosio  
Eleanor D'Ambrosio

## PUC Interoffice Memorandum

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**To:** Eleanor D'Ambrosio, Attorney  
Legal Division

**Thru:** Lisa Fuentes, Manager  
Water Utility Regulation Division

**From:** Sherrie Keylon, Financial Analyst  
Water Utility Regulation Division

**Date:** May 18, 2018

**Subject:** **Docket No. 48296, 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**

On April 18, 2018, Nueces Water Supply Corporation (Nueces WSC or Purchaser) and Cyndie Park 2 Water Supply Corporation (Cyndie Park 2 WSC or Seller) (collectively, Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities and certificate rights in Nueces County, Texas, pursuant to Texas Water Code Ann. (TWC) § 13.301 and the 16 Texas Administrative Code (TAC) § 24.109. Specifically, Nueces WSC seeks approval to acquire facilities and to transfer water service area under Cyndie Park 2 WSC's Certificate of Convenience and Necessity (CCN) No. 12100. The requested area includes approximately 30.2 acres and 18 connections.

Staff has reviewed the information provided by the Applicants and recommends the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

**Application Content:**

1. Missing Exhibit A from Purchase Contract

The Purchase Contract (Attachment 1) refers to Exhibit A, which lists the facilities to be transferred. However, Exhibit A was not included in the original filing.

2. TCEQ Public Water or Sewer System Information

The Applicants did not submit copies of the latest Texas Commission on Environmental Quality inspection reports for their respective public water systems.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).