



Control Number: 48296



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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 §

PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILING CLERK

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION  
ON ADMINISTRATIVE COMPLETENESS AND PROPOSED 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 Supplemental Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the application be deemed sufficient for further review. 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. Nueces WSC filed an amendment to the application on June 13, 2018.

On May 22, 2018, Order No. 2 was issued establishing a deadline of July 17, 2018, for Staff to file a supplemental 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 Keylon in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively complete.

### **III. NOTICE**

At this time, Staff recommends that Applicants proceed with providing public notice to all persons, political subdivisions, and other entities listed in the attached memorandum using the notice provided by Ms. Keylon. Along with each individual notice, Staff recommends that Applicants provide an accurate map delineating the requested service area. Within 30 days of the provision of notice, Staff recommends that Applicants file proof of notice as described in the attached memorandum. Finally, it is recommended that Applicants use the attached affidavit to meet these requirements.

### **IV. PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for Applicants to file with the Commission signed affidavits that notice was given along with a copy of the notice sent to the affected parties	August 17, 2018
Deadline for Staff to file a recommendation on sufficiency of notice	Within ten (10) days of Applicants filing proof of completed notice with the Commission
Deadline to intervene	Thirty (30) days after notice is issued

### **V. CONCLUSION**

For the reasons discussed above, Staff respectfully recommends that the application be found administratively complete, that Applicants be directed to provide notice as detailed above and in the attached memorandum, and that the proposed procedural schedule be adopted.

Dated: July 17, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

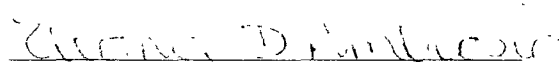
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**DOCKET NO. 48296  
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on July 17, 2018, in accordance with 16 Texas Administrative Code § 22.74.



Eleanor D'Ambrosio

## PUC Interoffice Memorandum

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

**Thru:** Heidi Graham, Manager  
Water Utility Regulation Division

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

**Date:** July 17, 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 (Purchaser) and the Cyndie Park 2 Water Supply Corporation (WSC) (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 16 Texas Administrative Code (TAC) § 24.109. Specifically, the Purchaser seeks approval to acquire facilities and to transfer all of the water service area from Cyndie Park 2 WSC held under water Certificate of Convenience and Necessity (CCN) No. 12100. In addition, the transferred area will be amended to the Purchaser's CCN No. 11948 and CCN No. 12100 will be cancelled. The requested area includes approximately 30.2 acres and 18 current customers.

Based on Staff's review of the above referenced application, and the additional information filed by the Applicants on June 13, 2018, Staff recommends that the application be deemed sufficient for filing and be found administratively complete. Staff further recommends the Applicant be ordered to do the following:

- 1) Provide notice of the application to the following:
  - a) cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area;
  - b) the county judge of each county that is wholly or partially included in the requested area;
  - c) each groundwater conservation district that is wholly or partially included in the requested area; and
  - d) any affected customers, and other affected parties in the requested area.
- 2) Provide correct notice of the application to the following entities:
  - Nueces County Judge
  - Nueces River Authority
  - Port of Corpus Christi Authority
  - South Texas Water Authority
- 3) Provide an accurate map delineating the requested service area with each individual notice to neighboring utilities, other affected parties, and customers. Information related to districts including addresses can be obtained by the Applicant from the TCEQ web site located at <http://www14.tceq.texas.gov/iwud/>.

- 4) File in the docket an affidavit specifying every person and entity to whom notice was provided and the date that the notice was provided. It is recommended that the Applicant use the attached notice and affidavit to meet these requirements.

**Notice to Current Customers, Neighboring Systems, and Cities**

NUECES WATER SUPPLY CORPORATION, CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) NO. 11948, NOTICE OF INTENT TO PURCHASE WATER  
FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12100,  
FROM THE CYNDIE PARK 2 WATER SUPPLY CORPORATION IN NUECES COUNTY,  
TEXAS

To: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_, 201 \_\_\_\_  
(Name of Customer, Neighboring System, or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City State Zip)

Nueces Water Supply Corporation	P.O. Box 415	Kingsville, Texas	78364
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase water facilities and to transfer all of the water certificated service area under CCN No. 12100, in Nueces County, TX from:

Cyndie Park 2 Water Supply Corporation	4623 Cindy Lane	Robstown, Texas	78380
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivision: Cyndie Park 2.

The requested area subject to this transaction is located approximately 13 miles Northwest of downtown Robstown, Texas, and is generally bounded on the north by FM 1833; on the east by CR 95; on the south by CR 48; and on the west by Ranch Road. The total requested area for the water or sewer CCN(s) being transferred includes approximately 30 acres and 18 current customers.

This transaction will have the following effect on the current customers' rates and services: All customers will be charged different rates than they were charged before the transaction.

*Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date.*

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

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Utility Representative

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Utility Name



# PUBLIC UTILITY COMMISSION



## AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES DOCKET NO. 48296

STATE OF TEXAS

COUNTY OF \_\_\_\_\_.

\_\_\_\_\_ has provided individual  
notice to the following entities and customers:

DATE OF NOTICE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is,  
owner, member of partnership, title of officer of corporation, or other authorized representative of  
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am  
personally familiar with the notices given with this application, and have complied with all notice  
requirements in the application and application acceptance letter; and that all such statements made  
and matters set for therein are true and correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,  
or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_