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DOCKET NO. 48505

**APPLICATION OF SHELCON SERVICES §
AND CREST WATER COMPANY FOR §
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN TARRANT COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE AND
PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 4, files this Recommendation on Sufficiency of Notice and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On July 2, 2018, Shelcon Services (Shelcon) and Crest Water Company (Crest) (collectively, Applicants) filed an application for approval of a sale, transfer, or merger (STM) of facilities and Certificate of Convenience and Necessity (CCN) rights in Tarrant County, Texas. Specifically, Applicants entered into an agreement for the purchase of Mustang Creek Estates public water system (PWS). If approved, Shelcon will deed to Crest the Mustang Creek Estates PWS facilities and water service area under CCN No. 13055. The total area being requested includes approximately 358 acres and 79 current customers. On July 24, 2018, Crest filed a supplement to its application in response to Order No. 1. Crest supplemented its application again on September 28, 2018 and October 8, 2018. On October 2, 2018, Crest filed a Motion for Waiver of Oath for Transferor.

On October 15, 2018, the Administrative Law Judge (ALJ) issued Order No. 4, granting Crest's Motion for Waiver of Oath for Transferor and finding Crest's application administratively complete. Order No. 4 further established a deadline for Staff to file a recommendation on the sufficiency of Crest's notice within ten (10) days of Crest filing proof of completed notice with the Commission. Crest filed proof of notice on November 16, 2018 and supplemented its proof of notice on November 21, 2018. Therefore, this pleading is timely filed.

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II. SUFFICIENCY OF NOTICE

Staff has reviewed the notice documentation filed by Crest on November 16, 2018 and November 21, 2018. The Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties indicates that notice was mailed on November 8, 2018. Staff recommends that the notice be deemed sufficient.

III. PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Crest's notice be found sufficient, Staff proposes the following supplemental procedural schedule:

Event	Date
Notice completed	November 8, 2018
Deadline for intervention	December 10, 2018 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the transfer and on the CCN amendment	January 9, 2019
Deadline for parties to file a response to Staff's recommendation	January 23, 2019
120-day deadline for the Commission to approve the transfer or require a hearing	March 8, 2019 ²

IV. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that Crest's notice be found sufficient and that the procedural schedule proposed above be adopted.

¹ Pursuant to 16 TAC § 24.235(a)(3), the intervention deadline is thirty (30) days after the mailing or publication of notice, whichever occurs later. Crest mailed notice on November 8, 2018. Thirty (30) days after November 8, 2018 is December 8, 2018, which falls on a Saturday. Therefore, Staff proposes an intervention deadline of December 10, 2018, which is the next business day.

² Pursuant to 16 TAC § 24.239 (a) and (j), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after November 8, 2018 is March 8, 2019.

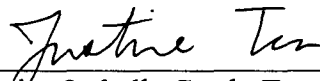
Dated: December 3, 2018

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

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record December 3, 2018, in accordance with 16 TAC § 22.74.



Justine Isabelle Caedo Tan