



Control Number: 48533



Item Number: 15

Addendum StartPage: 0

DOCKET NO. 48533

APPLICATION OF BAMMEL FOREST §
UTILITY COMPANY AND QUADVEST, §
L.P. FOR SALE, TRANSFER, OR §
MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN HARRIS §
COUNTY §

2018 JUL 25
PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S 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. 1, files this Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the application be deemed sufficient for filing and be found administratively complete. In support thereof, Staff shows the following:

I. BACKGROUND

On July 18, 2018, Bammel Forest Utility Company (Bammel Forest) and Quadvest, L.P. (Quadvest) (collectively, Applicants) filed an application for sale, transfer or merger of facilities and certificate rights in Harris County, Texas. Specifically, Quadvest, Certificate of Convenience and Necessity (CCN) No. 11612, seeks approval to acquire all facilities and to transfer all of the water service area and cancel Bammel Forest's water CCN No. 11597.

Order No. 1, issued July 23, 2018, established a deadline of August 20, 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. This pleading is therefore timely filed. Furthermore, Order No. 1 required Applicants to file supplemental information and supporting documentation. On July 26, 2018, Applicants filed a supplement to their application.¹

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Debbie Reyes of the Commission's Water Utility Regulation Division, Staff has reviewed the application filed by Applicants and recommends that it be found administratively complete.

¹ Quadvest L.P.'s Response to Order No. 1 (Jul. 26, 2018).

15

III. NOTICE

As detailed in the attached memorandum, Staff recommends that Applicants be directed to use the attached forms to provide notice to the following:

- 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;
- the county judge of each county that is wholly or partially included in the requested area;
- each groundwater conservation district that is wholly or partially included in the requested area; and
- any affected customers, and other affected parties in the requested area

Provide correct notice of the application to the following:

- HMW SUD, CCN No. 10342
- Westador MUD, CCN No. 10869
- Bammel Forest Utility Company, CCN No. 11597
- Lass Water Company, CCN No. 12258
- Aqua Texas, Inc., CCN No. 13203
- Bammel Utility District
- Bilma PUD
- Bridgestone MUD
- Central Harris County Regional Water Authority
- CNP Utility District
- Coastal Water Authority
- Cypress-Klein Utility District
- Cypresswood Utility District
- Fountainhead MUD
- Gulf Coast Waste Disposal Authority
- Harris County FCD
- Harris County MUD 16
- Harris County MUD 44
- Harris County MUD 58
- Harris County MUD 86
- Harris County MUD 189
- Harris County MUD 200
- Harris County MUD 211
- Harris County MUD 233
- Harris County MUD 275
- Harris County MUD 304
- Harris County MUD 316
- Harris County MUD 399
- Harris County MUD 48

- Harris County WCID 91
- Harris County WCID 109
- Harris County WCID 110
- Harris County WCID 132
- Heatherloch MUD
- Klein PUD
- Louetta Road Utility District
- North Forest MUD
- North Harris County Regional Water Authority
- Northwest Harris County MUD 20
- Northwest Harris County MUD 21
- Northwest Harris County MUD 22
- Northwest Harris County MUD 23
- Northwest Harris County MUD 36
- Ponderosa Forest Utility District
- Port of Houston Authority
- Spring Creek Forest PUD
- Terranova West MUD
- Harris-Galveston Coastal Subsidence District
- Harris County Judge Ed Emmett

Applicants must 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 Applicants from the TCEQ website located at <http://www14.tceq.texas.gov/iwud/>.

Applicants must also file in the docket a map and copy of notice along with an affidavit specifying every person and entity to whom notice was provided and the date that the notice was provided. Staff recommends that Applicants use the attached notice and affidavit to meet these requirements.

IV. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

| Event | Date |
|---|--------------------------------|
| Deadline for Applicants to file with the Commission signed affidavits that the notice was given, along with a copy of the notice sent to the affected parties | October 4, 2018 |
| Deadline for Staff to file a recommendation on sufficiency of notice | October 12, 2018 |
| Deadline to intervene | 30 days after notice is issued |

V. CONCLUSION

For the reasons detailed above, Staff 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 procedural schedule proposed above be adopted.


Dated: August 20, 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

DOCKET NO. 48533

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 20, 2018, in accordance with 16 TAC § 22.74.



Justine Isabelle Caedo Tan

PUC Interoffice Memorandum

To: Iya Tan, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Debbie Reyes, Program Specialist
Water Utility Regulation Division

Date: August 15, 2018

Docket **48533**, *Application of Bammel Forest Utility Company and Quadvest LP for Sale, Transfer or Merger of Facilities and Certificate Rights in Harris County*

On July 18, 2018, the Bammel Forest Utility Company (Bammel or Seller) and Quadvest LP (Quadvest or Buyer), (Collectively, Applicants), filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Harris County, Texas, pursuant to Texas Water Code Ann. (TWC) § 13.301 and the 16 Tex. Admin. Code (TAC) § 24.109. Specifically, Quadvest LP, Certificate of Convenience and Necessity (CCN) No. 11612, seeks approval to acquire all facilities and to transfer all of the water service area and cancel Bammel's water CCN No. 11597. The requested area includes approximately 324 total acres and 346 current customers.

Based on Staff's review of the above referenced application, Staff recommends that the application be deemed sufficient for filing and be found administratively complete. Staff also recommends 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 notice to the following:
 - HMW SUD, CCN No. 10342
 - Westador MUD, CCN No. 10869
 - Bammel Forest Utility Company, CCN No. 11597
 - Lass Water Company, CCN No. 12258
 - Aqua Texas, Inc., CCN No. 13203
 - Bammel Utility District
 - Bilma PUD
 - Bridgestone MUD
 - Central Harris County Regional Water Authority
 - CNP Utility District

- Coastal Water Authority
 - Cypress-Klein Utility District
 - Cypresswood Utility District
 - Fountainhead MUD
 - Gulf Coast Waste Disposal Authority
 - Harris County FCD
 - Harris County MUD 16
 - Harris County MUD 44
 - Harris County MUD 58
 - Harris County MUD 86
 - Harris County MUD 189
 - Harris County MUD 200
 - Harris County MUD 211
 - Harris County MUD 233
 - Harris County MUD 275
 - Harris County MUD 304
 - Harris County MUD 316
 - Harris County MUD 399
 - Harris County MUD 48
 - Harris County WCID 91
 - Harris County WCID 109
 - Harris County WCID 110
 - Harris County WCID 132
 - Heatherloch MUD
 - Klein PUD
 - Louetta Road Utility District
 - North Forest MUD
 - North Harris County Regional Water Authority
 - Northwest Harris County MUD 20
 - Northwest Harris County MUD 21
 - Northwest Harris County MUD 22
 - Northwest Harris County MUD 23
 - Northwest Harris County MUD 36
 - Ponderosa Forest Utility District
 - Port of Houston Authority
 - Spring Creek Forest PUD
 - Terranova West MUD
 - Harris-Galveston Coastal Subsidence District
 - Harris County Judge Ed Emmett
- 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 a map and copy of notice along with an affidavit specifying every person and entity to whom notice was provided, 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
QUADVEST LP, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 11612,
NOTICE OF INTENT TO PURCHASE FACILITIES AND TO TRANSFER/CANCEL
WATER SERVICE AREA UNDER CCN NO. 11597 FROM BAMMEL FOREST UTILITY
COMPANY IN HARRIS, TEXAS

To: _____ Date Notice Mailed: _____, 201__
(Name of Customer, Neighboring System, or City)

(Address)

(City State Zip)

| | | | |
|--------------------|----------------|-----------------|------------|
| Quadvest LP | 26926 FM 2978, | Magnolia, TX | 77354 |
| (Purchaser's Name) | (Address) | (City), (State) | (Zip Code) |

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase facilities and to transfer/cancel certificated service area under CCN No. CCN No. 11597 in Harris County in TX from:

| | | | |
|-----------------------------------|---------------|-----------------|------------|
| Bammel Forest Utility Company | PO Box 90038, | Houston, TX | 77290 |
| (Purchasers or Transferee'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:

Bammel Forest, Pecan Forst, and Bammel Timbers

The requested area is located approximately 18 miles southeast of downtown Houston, TX, and is generally bounded on the north by Cypress Creek; on the east by Kuykendahl Road; on the south by Cypress Creek Parkway; and on the west by Northgate Forest Drive.

The requested area includes approximately 324 total acres and 346 current customers.

This transaction will have the following effect on the current customers' rates and services:
The customers, will be charged Quadvest LP water rates.

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 (32412) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (32412) 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.

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

Peter Gregg, Attorney 512-457-8000
Utility Representative

Quadvest LP
Utility Name

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES

Docket No. 48533

STATE OF TEXAS

COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE

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 _____