



Control Number: 48565



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APPLICATION OF AQUA TEXAS, §
INC. AND TOWN OF BUFFALO GAP §
FOR SALE, TRANSFER, OR §
MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN TAYLOR §
COUNTY (GAP WATER SYSTEM) §

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STATUS UPDATE NO. 10

COME NOW, Aqua Texas, Inc. (“Aqua”) and the Town of Buffalo Gap (“Town”) (collectively, the “Applicants”) and file this Status Update No. 10 regarding the status of the Applicants’ efforts to conclude the transaction, address customer deposits, and submit evidence of same.

On August 2, 2018, the Applicants filed an application for Sale, Transfer or Merger of Facilities and Certificate Rights in Taylor County related to the Gap Water System. On November 28, 2018, the Commission issued Order No. 4 Approving Transaction to Proceed, to be concluded by May 28, 2019. Order No. 4 required the Applicants to submit monthly updates regarding the status of efforts to conclude the transaction, address customer deposits, and submit documents evidencing same beginning on December 20, 2018, and each month thereafter. On May 23, 2019, the Commission entered Order No. 5 Granting Request for Extension allowing the Applicants until November 25, 2019 to conclude the transaction. On July 17, 2019, the Commission entered Order No. 6 Status Update Required directing the Applicants to continue to file monthly updates regarding the status of efforts to conclude the transaction, address customer deposits, and submit documents evidencing same beginning on July 25, 2019, and each month thereafter.

Applicants filed Status Update No. 9 on August 20, 2019 in which the Town reported that it was still finalizing the remaining four (4) easements on privately-owned property and the easement with the City of Abilene. As of the date of this Status Update No. 10, the Town has

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obtained one (1) easement and has finalized the content on the remaining three (3) easements and is awaiting execution of those documents by the property owners. The content of the easement with the City of Abilene has been finalized, was approved by the Town's Council on September 12, 2019, and will be considered for final approval by the Abilene City Council on September 26, 2019. Finally, in Status Update No. 9, the Town reported that an issue had arisen with the Texas Department of Transportation ("TXDOT"). We are pleased to report that the Town's engineers re-routed the planned line to use mostly County right-of-way and only a small portion of TXDOT right-of-way and have obtained approval from the County and TXDOT for same. The Town is still working towards trying to close the loan with USDA as soon as possible. The Town's engineers will be able to give an estimated closing date when all of the easements have been executed and recorded, which we hope will occur by the next Status Update. Aqua is waiting on the Town's process with USDA to conclude before proceeding with action to close the approved transaction with the Town and address customer deposits.

Respectfully submitted,

By: 

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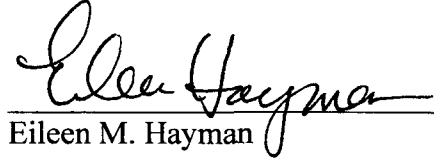
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ATTORNEY FOR AQUA TEXAS, INC.

CERTIFICATE OF SERVICE

17th I certify that a copy of this document will be served on all parties of record on September 17, 2019 in accordance with P.U.C. Procedural Rule 22.74.



Eileen M. Hayman