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**SOAH DOCKET NO. 473-19-6298.WS
PUC DOCKET NO. 48680**

APPLICATION OF BLUEBONNET	§	BEFORE THE STATE OFFICE
HILLS WATER SUPPLY	§	
CORPORATION AND THE CITY OF	§	OF
CRESSON FOR SALE, TRANSFER, OR	§	
MERGER OF FACILITIES AND	§	ADMINISTRATIVE HEARINGS
CERTIFICATE RIGHTS IN PARKER	§	
COUNTY	§	

COMMISSION STAFF'S MOTION TO REMAND

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to SOAH Order No. 3, files this Staff's Motion to Remand. In support thereof, Staff shows the following:

I. BACKGROUND

On September 12, 2018, Bluebonnet Hills Water Supply Corporation (Bluebonnet) and the City of Cresson (Cresson) (collectively, Applicants), filed an application for sale, transfer, or merger of facilities and certificate rights in Parker and Johnson Counties, Texas. Specifically, Cresson seeks approval to acquire facilities and to transfer water service area from Bluebonnet under water Certificate of Convenience and Necessity (CCN) No. 12290. The requested area includes approximately 436 acres and 164 connections. Applicants filed supplemental information on September 27, 2018, and December 7, 2018.

On July 22, 2019, the present docket was referred to the State Office of Administrative Hearings (SOAH). On September 5, 2019, the SOAH administrative law judge (ALJ) issued SOAH Order No. 2, finding Applicants' notice sufficient, cancelling the previously scheduled prehearing conference, and ordering Staff to file a status report by October 4, 2019.

On October 4, 2019, Staff filed a Status Report requesting an additional thirty days to complete its review of the application. On October 7, 2019, the SOAH ALJ issued Order No. 3, requiring Staff to file a status report by November 4, 2019. Therefore, this pleading is timely filed.

II. MOTION FOR REMAND

The present docket was referred for an evidentiary hearing pursuant to 16 Texas Administrative Code (TAC) § 24.239(j)(1) due deficiencies in Applicants' notice, and 16 TAC § 24.239(j)(2) due to Staff's continuing financial, managerial, and technical review of the Applicants' application. Since referral of the matter to SOAH, Applicants' notice has been deemed sufficient by the SOAH ALJ. In addition, following Staff's further review of Applicants' application, Staff is prepared to provide a final recommendation on the application and move forward with its administrative review of the docket. Therefore, Staff requests that the matter be remanded to the Commission for a revised procedural schedule and to allow for continued processing of Applicants' application.

Date: November 1, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney



Richard Nemer
State Bar No. 24042829
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7348
(512) 936-7268 (facsimile)
richard.nemer@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 on November 1, 2019, in accordance with 16 TAC § 22.74.



Richard Nemer