



Control Number: 48680



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Public Utility Commission of Texas

Commissioner Memorandum

2020 SEP -9 PM 12: 16

TO: Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

FROM: Chairman DeAnn T. Walker 

DATE: September 9, 2020

RE: September 10, 2020 Open Meeting – Item No. 16
Docket No. 48680 – *Application of Bluebonnet Hills Water Supply Corporation and the City of Cresson for Sale, Transfer, and Merger of Facilities and Certificate Rights in Parker County*

I recommend that the Commission make the following changes to the order in this proceeding.

Conclusion of law 1 should be modified to remove the citation to Texas Water Code § 13.041 because it is not applicable. Also, conclusions of law 5 and 6 should be modified to reflect the most recent version of the Commission's rules.

1. The Commission has authority over this proceeding under ~~to~~-TWC §§ ~~13.041~~, 13.241, 13.244, 13.246, 13.251, and 13.301.
5. Bluebonnet and Cresson completed the sale within the time required by 16 TAC § 24.239(m)(~~o~~).
6. Bluebonnet and Cresson complied with the requirements of 16 TAC § 24.239(k)(~~m~~) with respect to customer deposits.

I do not believe that the Commission should issue another certificate of convenience and necessity (CCN) number to the applicant. Instead, the territory included in the sale, transfer, and merger in this proceeding should be added to the City of Cresson's existing CCN number. Therefore, I propose the following modifications to proposed ordering paragraphs 1, 2, and 3, the addition of a new ordering paragraph, and the renumbering of subsequent ordering paragraphs. In addition, attached to the memorandum are a corrected certificate and map that will need to be attached to the order.

1. The Commission approves the sale and transfer of all of Bluebonnet's facilities and service area under water CCN number 12290 to Cresson, the cancellation of water CCN number 12290, and the ~~issuance of new water CCN number 13284 to Cresson~~ amendment of CCN 11472 to include the area previously included in CCN number 12290, to the extent provided in this Order.

2. The Commission ~~approves the map and~~issues the certificate attached to this Order.
3. The Commission approves the map attached to this Order.
34. Cresson must serve every customer and applicant for service within the approved area under water CCN number ~~1328411472~~ who requests water service and otherwise meets the terms for Cresson's water service, and such service must be adequate and continuous.

The citations in the finding of fact subheadings should be modified to reflect the most recent version of the Commission's rules for consistency with the Commission's current order-writing practices. In addition, the Commission should delegate to the Office of Policy and Docket Management staff the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

I look forward to discussing this matter with you at the open meeting.



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of Cresson

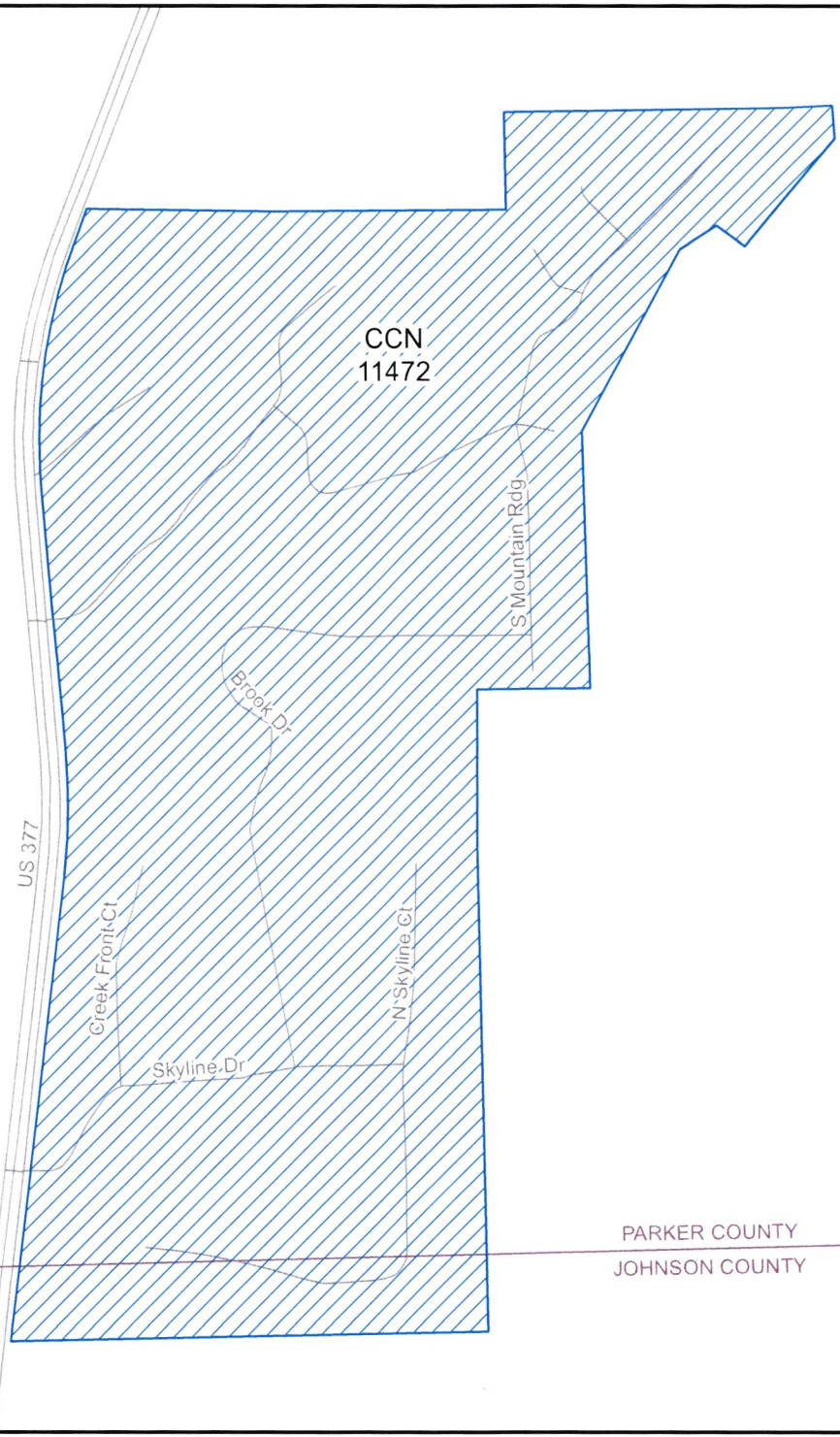
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Cresson is entitled to this

Certificate of Convenience and Necessity No. 11472

to provide continuous and adequate water utility service to that service area or those service areas in Johnson and Parker Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48680 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Cresson to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this _____ day of _____ 20__.

Cresson Water Works
Portion of Water CCN No. 11472
PUC Docket No. 48680
Transferred all of Bluebonnet Hills Water Supply Corporation, CCN No. 12290 in
Johnson and Parker Counties



Water CCN

 11472 - Cresson Water Works

