



Control Number: 48791



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DOCKET NO. 48791

**APPLICATION OF PENDLETON §
HARBOR WATER SUPPLY §
CORPORATION AND G-M WATER §
SUPPLY CORPORATION FOR §
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN SABINE COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and, in response to Order No. 6, files this Commission Staff's Recommendation on Sufficiency of Notice. Staff recommends that the notice be deemed sufficient. In support thereof, Staff shows the following:

I. BACKGROUND

On October 17, 2018, Pendleton Harbor Water Supply Corporation (Pendleton) and the G-M Water Supply Corporation (G-M) (collectively, Applicants), filed an application for sale, transfer, or merger of facilities and certificate rights in Sabine County, Texas. Specifically, Pendleton seeks to transfer its facilities and water service area under Certificate of Convenience and Necessity (CCN) No. 10737, to G-M. The requested transfer includes approximately 1,024 acres¹ and 234 current customers. Applicants filed supplemental information on March 6, 2019, and April 9, 2019.

On May 29, 2019, Order No. 6 was issued, requiring 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 by June 24, 2019. The Order further required Staff to file a recommendation on the sufficiency of notice 10 days after the filing by Applicants.

On June 17, 2019, Applicants filed their Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities, and Affected Parties, establishing Staff's deadline as June 27, 2019.

¹ Applicants amended their acreage totals in Letter in Reference to Docket at 1 (April 9, 2019).

On June 26, 2019, Applicants filed a letter stating that there were no landowners to notice who own a tract of land that is at least 25 acres and is wholly or partly located in the requested area to be certified. Therefore, this pleading is timely filed.

II. NOTICE

Staff has reviewed the proof of notice and found it to be sufficient. Therefore, Staff respectfully recommends that notice be found sufficient.

III. PROPOSED AMENDED PROCEDURAL SCHEDULE

Staff recommends the notice be found sufficient. Therefore, Staff proposes the following amended procedural schedule:

Event	Date
Notice Completed	June 10, 2019
Deadline to intervene	July 10, 2019 ²
Deadline for Staff to request a hearing or file a recommendation on the approval of the transfer and on the CCN amendment.	August 9, 2019
Deadline for parties to file a response to Staff's recommendation	August 23, 2019
120 day deadline for the Commission to approve the transfer or require a hearing	October 8, 2019 ³

IV. CONCLUSION

For the reasons discussed above, Staff respectfully requests that the Applicants' proof of notice be found sufficient and that the proposed amended procedural schedule be adopted.

² Pursuant to 16 Tex. Admin. Code (TAC) § 24.109(c)(3), the deadline for intervention is 30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer. Notice was mailed on June 10, 2019. Therefore, 30 days after June 10, 2019 is July 10, 2019.

³ Pursuant to 16 TAC § 24.109, the deadline for Commission action is 120 days after the later of either when the application is filed, when notice was mailed, or when notice is published. One hundred and twenty days after June 10, 2019 is October 8, 2019.

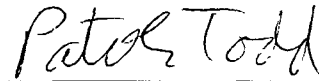
Date: June 27, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Rachelle Nicolette Robles
Managing Attorney

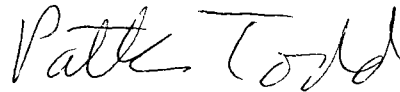


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 27, 2019, in accordance with 16 Texas Administrative Code § 22.74.



Patrick D. Todd