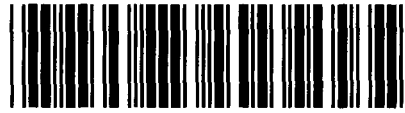




Control Number: 49178



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DOCKET NO. 49178 RECEIVED

APPLICATION OF VINEYARD
RIDGE, LLC AND VINEYARD
RIDGE WATER SUPPLY, LLC FOR
SALE, TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN GILLESPIE COUNTY

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PUBLIC UTILITY COMMISSION

2019 OCT 20 4:03
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

**COMMISSION STAFF’S CLOSING DOCUMENTS SUFFICIENCY
RECOMMENDATION**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 11, files this Closing Documents Sufficiency Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On February 6, 2019, Vineyard Ridge Water Supply, LLC (Purchaser) and the and Vineyard Ridge, LLC (Seller), (collectively Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities and certificate rights in Gillespie County, Texas, pursuant to Texas Water Code Ann. (TWC) § 13.301 and the 16 Texas Administrative Code (TAC) § 24.239. Specifically, Purchaser seeks approval to acquire facilities and to transfer all of Seller’s water CCN No. 13265. The requested area includes approximately 660 acres and 17 connections.

On August 9, 2019, the Commission administrative law judge (ALJ) issued Order No. 6, authorizing Applicants to proceed with the proposed transaction.

On October 9, 2019, and October 21, 2019, Applicants’ closing documents were filed with the Commission.

Order No. 6 also required Commission Staff to file a recommendation regarding the sufficiency of the documents and propose a schedule for continued processing of this docket within 15 days following the filing of the applicant’s proof that the transaction had been consummated. Therefore, this pleading is timely filed.

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II. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents filed by Applicants on October 9, 2019, and October 21, 2019. Based on its review, Staff has determined that Applicants' filing meets the requirements of 16 Tex. Admin. Code (TAC) §§ 24.239(k)-(n). Staff notes that the documents were not filed within 30 days of the of the actual effective date of the transaction as required by 16 TAC § 24.239(n). Nevertheless, Staff has reviewed the documents and recommends that the content be deemed sufficient, though late-filed.

Applicants also stated that there were no customer deposits held by Seller. As such, no customer deposits were transferred pursuant to the current transaction.

Accordingly, based upon Applicant's completion of the requirements, as stated in the Commission rules, Staff recommends a finding that the closing documents be found sufficient and that there are no customer deposits to address as a result of the transaction.

III. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Applicants' closing documents be found sufficient, Staff proposes the following procedural schedule for continued processing of the docket:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent	November 18, 2019
Deadline for Applicants to file signed consent forms with the Commission	November 25, 2019
Deadline for parties to jointly file a proposed Notice of Approval, including proposed findings of fact, conclusions of law and ordering paragraphs	December 9, 2019

IV. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued finding that the closing documents filed by Applicants are sufficient and that there are no customer

deposits to address as a result of the transaction. Staff further requests that the procedural schedule proposed above be adopted for continued processing of this docket.

Dated: October 28, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 28, 2019, in accordance with 16 TAC § 22.74.



Rustin Tawater