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DOCKET NO. 49230

APPLICATION OF TIMBERLANE § PUBLIC UTILITY COMMISSION
WATER SYSTEM, INC. AND SIMPLY §
AQUATICS, INC. FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN SABINE COUNTY §

2020 JAN 9 10:10 AM
STATE OF TEXAS
FILING CLERK

ORDER NO. 7
FINDING NOTICE SUFFICIENT AND ESTABLISHING
DEADLINE FOR REVISED PROCEDURAL SCHEDULE

This Order addresses the February 15, 2019, application of Simply Aquatics, Inc. and Timberlane Water System, Inc. (collectively, applicants) for approval of a sale, transfer, or merger of facilities and certificate rights in Sabine County, the sufficiency of the notice, and a deadline to file a revised procedural schedule.

On December 20, 2019, applicants filed the affidavit of Kevin Hester, owner of Simply Aquatics, attesting that notice of the transaction was provided to current customers, neighboring utilities and affected parties on December 5, 2019. On December 30, 2019, Commission Staff filed a recommendation regarding notice and proposed a procedural schedule for continued processing. However, the procedural schedule provided did not include deadlines specific to a sale, transfer, or merger proceeding, including a 120-day deadline. Rather, the procedural schedule provided appears specific to processing a certificate of convenience and necessity proceeding.

The administrative law judge finds notice sufficient.

By January 14, 2019, Commission Staff must file a revised procedural schedule specific to a sale, transfer, or merger proceeding. Specifically, Commission Staff may see Docket No. 49169¹ for reference.

¹ *Application of Undine Texas, LLC and Undine Texas Environmental, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Brazoria County*, Docket No. 49169, Order No. 3, Finding Notice Sufficient and Establishing Procedural Schedule (Mar. 26, 2019).

Signed at Austin, Texas the 3rd day of January 2020.

PUBLIC UTILITY COMMISSION OF TEXAS



CHRISTOPHER OAKLEY
ADMINISTRATIVE LAW JUDGE