



Control Number: 49231



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APPLICATION OF PONDER §
 ENTERPRISES, INC. DBA §
 LONGHORN COMPANY AND LONE §
 STAR WATER COMPANY FOR §
 SALE, TRANSFER, OR MERGER OF §
 FACILITIES AND CERTIFICATE §
 RIGHTS IN DENTON COUNTY §

2020 JAN 2 PM 2:00
 PUBLIC UTILITY COMMISSION
 FILED OF TEXAS

AGREED REQUEST TO AMEND PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Agreed Request to Amend Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On February 15, 2019, Ponder Enterprises, Inc. d/b/a as Longhorn Company (Ponder) and Lone Star Water Company (Lone Star) (collectively, Applicants) filed an application for the sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in Denton County. Specifically, the Applicants seek to transfer Ponder's water facilities and all of its service area under water CCN number 12810 to Lone Star's new water CCN number 13279. The requested transfer includes approximately 458 acres and serves 332 current connections.

On November 19, 2019, Order No. 7 was issued, establishing a procedural schedule and requiring Staff to provide final maps, certificates, and tariffs, if applicable, to the Applicants for review and consent by December 2, 2019. Order No. 7 also required the applicants to file signed consent forms with the Commission by December 13, 2019. On December 2, 2019, Staff provided the Applicants with a final map of the transaction. On December 11, 2019, Applicants filed consent forms concurring with the map.

Order No. 7 also established a deadline of January 3, 2020 for the parties to jointly file a proposed Notice of Approval. On January 2, 2020, Staff requested that the deadline to file the Notice of Approval be extended until January 24, 2020 in order to correct issues regarding the consent forms.

II. REQUEST TO AMEND

While working with the Applicants to draft the Joint Notice of Approval, Staff noticed that the consent forms filed on December 11, 2019 included the final map of the transaction but did not include Lone Star's new water CCN number 13279 or the final tariff. Accordingly, Staff respectfully requests that the ALJ modify the procedural schedule in order to allow for consent to the final certificate and tariff to be filed in the record. Staff has contacted representatives from Ponder and Lone Star, both of which are in agreement with this request.

III. AMENDED PROCEDURAL SCHEDULE

Staff and the Applicants propose the following amended procedural schedule:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs to Applicants for review and consent	January 10, 2020
Deadline for Applicants to file signed consent forms with the Commission	January 17, 2020
Deadline for parties to jointly file a proposed Notice of Approval, including proposed findings of fact, conclusions of law, and ordering paragraphs	January 23, 2020

IV. CONCLUSION

Staff respectfully requests entry of an Order adopting the amended procedural schedule proposed above.

Dated: January 8, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Thomas S. Hunter
Division Director

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Managing Attorney

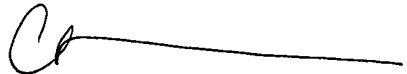


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 8, 2020, in accordance with 16 TAC § 22.74.



Courtney N. Dean