

Control Number: 49383



Item Number: 25

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APPLICATION OF SWWC §
UTILITIES, INC. DBA INVERNESS §
UTILITY COMPANY, INC. AND §
MONARCH UTILITIES I L.P. FOR §
SALE, TRANSFER, MERGER OF §
CERTIFICATE RIGHTS IN TRAVIS §
COUNTY

PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S RECOMMENDATION ON
SUFFICIENCY OF CLOSING DOCUMENTS**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Sufficiency of Closing Documents. Staff recommends that the closing documents be found sufficient at this time. In support thereof, Staff shows the following:

I. BACKGROUND

On March 27, 2019, SWWC Utilities, Inc. dba Iverness Utility Company, Inc. and Monarch Utilities I, L.P. and Bosque Utilities Corporation (collectively, Applicants) filed an application for Sale, Transfer, or Merger of Facilities and Certificate Rights in Travis County, Texas. Specifically, the Applicants seek to transfer all of SWWC's assets and water service area under certificate of convenience and necessity (CCN) number 11107 to Monarch Utilities' CCN number 12983. The requested transfer includes approximately 325 acres and 177 customer connections within the Crosswind, Hidden Hills, Inverness Point, and Lakehurst subdivisions in Travis County.

On December 20, 2019, the administrative law judge (ALJ) issued Order No. 8 requiring Staff to file its recommendation on sufficiency of closing documents and propose a procedural schedule for continued processing of the docket by January 17, 2020. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents filed by Applicants on December 18, 2019 and January 9, 2020. Based on its review, Staff has determined that, cumulatively, Applicants' filings meet the requirements of 16 Tex. Admin. Code (TAC) §§ 24.239(k)-(n). Regarding the requirement under 16 TAC §24.239(n) that the bill of sale must be signed by both the transferor and transferee Staff notes that Charles W. Profilet, Jr. is the President of SWWC Utilities (the

transferor) and Monarch Utilities L.P. I (the transferee).¹ Staff further recommends a finding that the customer deposits have been appropriately addressed and that the closing documents be found sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff’s recommendation that Applicants’ closing documentation be found sufficient, Staff proposes the following supplemental procedural schedule:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent	March 12, 2020
Deadline for Applicants to file signed consent forms with the Commission	March 26, 2020
Deadline for parties to jointly file a proposed Notice of Approval, including proposed findings of fact, conclusions of law and ordering paragraphs	April 2, 2020

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 customer deposits have been properly addressed. Staff further requests that the procedural schedule proposed above be adopted for continued processing of this docket.

¹ Application at 4 -5; Supplemental Information at bates 3 (Dec. 18, 2019).

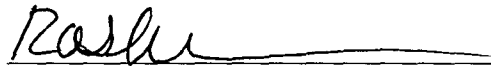
Dated: January 17, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Thomas S. Hunter
Division Director

Rachelle Nicolette Robles
Managing Attorney

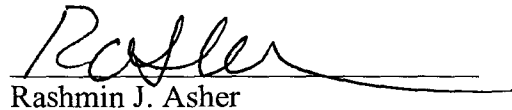


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DOCKET NO. 49383

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 17, 2020, in accordance with 16 TAC § 22.74.



Rashmin J. Asher