



Control Number: 49386



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DOCKET NO. 49386

**APPLICATION OF LAS LOMAS
MUNICIPAL UTILITY DISTRICT NO.
4A OF KAUFMAN COUNTY,
FORMERLY KNOWN AS LAS LOMAS
MUNICIPAL UTILITY DISTRICT NO
4 OF KAUFMAN COUNTY AND LAS
LOMAS MUNICIPAL UTILITY
DISTRICT NO. 4B OF KAUFMAN
COUNTY FOR SALE, TRANSFER, OR
MERGER OF SEWER FACILITIES
AND CERTIFICATE RIGHTS IN
KAUFMAN COUNTY**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Commission Staff of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 3, files this Supplemental Recommendation on Administrative Completeness and Proposed Procedural Schedule. Staff recommends that the application be deemed administratively incomplete and that the applicants be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

I. BACKGROUND

On March 28, 2019, Las Lomas Municipal Utility District No. 4B of Kaufman County (Las Lomas 4B) and Las Lomas Municipal Utility District No. 4A of Kaufman County, formerly known as Las Lomas Municipal Utility District No 4 of Kaufman County (Las Lomas 4A) (collectively, Applicants) filed an application for Sale, Transfer, or Merger of Facilities and Certificate Rights in Kaufman County, Texas. Specifically, Las Lomas 4B seeks approval to acquire facilities and to transfer all of the Las Lomas 4A's Sewer Certificate of Convenience and Necessity No. 21007. The requested area includes approximately 6,168 acres and 0 connections. Applicants filed supplemental information on June 21, 2019.

On June 3, 2019, Order No. 3 was issued establishing a deadline of July 22, 2019 for Staff to file a recommendation on the administrative completeness of the application and notice and

propose a procedural schedule for further processing of the application. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Roshan Pokhrel in the Commission's Water Utility Regulation Division, Staff has reviewed the application and supplemental information and recommends that it be found administratively incomplete. Staff recommends that Applicants submit supplemental information, as further detailed in the attached memorandum.

III. PROCEDURAL SCHEDULE

A procedural schedule cannot be proposed at this time because the application is insufficient. Staff recommends that a deadline of August 22, 2019 be established for Applicants to supplement the application. Staff further recommends that a deadline of September 23, 2019 be established for Staff to review Applicants' supplemental information and make a supplemental recommendation on the administrative completeness of the application. Staff notes that Applicants should not issue notice until the application is found administratively complete.

IV. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete.

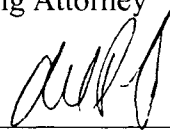
Dated: July 22, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 22, 2019, in accordance with 16 TAC § 22.74.



Alexander Petak

PUC Interoffice Memorandum

To: Alexander Petak, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Roshan Pokhrel, Engineering Specialist
Water Utility Regulation Division

Date: July 19, 2019

Subject: **Docket No. 49386**, *Application of Las Lomas Municipal Utility District No. 4A of Kaufman County, formerly known as Las Lomas Municipal Utility District No 4 of Kaufman County and Las Lomas Municipal Utility District No. 4B of Kaufman County for Sale, Transfer, or Merger of Sewer Facilities and Certificate Rights in Kaufman County*

On March 28, 2019, Las Lomas Municipal Utility District No. 4B of Kaufman County (Purchaser) and Las Lomas Municipal Utility District No. 4A of Kaufman County, formerly known as Las Lomas Municipal Utility District No 4 of Kaufman County (Seller) (collectively, Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities and certificate rights in Kaufman 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 the Seller's sewer CCN No. 21007. The requested area includes approximately 6,168 acres and 0 connections.

Staff has reviewed the information provided by the Applicant and recommends the application be deemed administratively incomplete and not accepted for filing due to the deficiencies in the application. Staff recommends the Applicant to do the following for sufficiency.

Application Content:

1. Amend the application by changing the Transferor name to Las Lomas Municipal Utility District (MUD) No. 4.
2. Provide a fully executed copy of agreement between the Developer and the Board of Directors.
3. Provide a copy of a proof that the Water Quality Discharge Permit No. 14803001 has been transferred to Las Lomas MUD No. 4B.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).