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DOCKET NO. 49615

APPLICATION OF MSEC §
ENTERPRISES INC. AND MSEC §
WASTE WATER INC. FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

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COMMISSION STAFF’S RECOMMENDATION ON NOTICE

COMES NOW the staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Notice in response to Order No. 3. Staff recommends that the notice be found sufficient. In support thereof, Staff shows the following:

I. BACKGROUND

On June 7, 2019, MSEC Waste Water Inc. (MSEC Waste) and MSEC Enterprises Inc. (MSEC Enterprises)(collectively, Applicants) filed an application for Sale, Transfer, or Merger of Facilities and Certificate Rights in Montgomery County, Texas. Specifically, MSEC Waste seeks approval to purchase facilities and transfer MSEC Enterprises’ wastewater Certificate of Convenience and Necessity (CCN) No. 20984. The requested area includes approximately 373 total acres and 3 current customers.

On July 16, 2019, Order No. 3 was issued, establishing a deadline of 10 days after Applicants’ filing proof of notice for Staff to file a recommendation on that notice. On July 18, 2019, Applicants filed information attesting to notice for this application. Staff’s deadline for filing a recommendation on notice was therefore set to July 29, 2019, the next business day following ten days after proof of notice was submitted. This pleading is therefore timely filed.

II. RECOMMENDATION ON NOTICE

Staff has reviewed the affidavit of notice filed by Applicants on July 18, 2019 and recommends it be found sufficient. Notice was mailed on July 18, 2019 to the entities ordered in Order No. 2.

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III. PROCEDURAL SCHEDULE

Staff recommends the notice be found sufficient. Staff therefore proposes the following procedural schedule:

Event	Date
Notice completed	July 18, 2019
Deadline for intervention	August 19, 2019 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	September 19, 2019
Deadline for parties to file a response to Staff's recommendation	October 3, 2019
120 day deadline for the Commission to approve the sale or require a hearing	November 15, 2019 ²

IV. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendation.

¹ Pursuant to 16 Texas Administrative Code (TAC) § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed on July 18, 2019. Therefore, 30 days after July 12, 2019 is August 17, 2019, and the next business day is August 19, 2019.

² Pursuant to 16 TAC § 24.239 (a) and (j), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after July 18, 2019 is November 15, 2019.

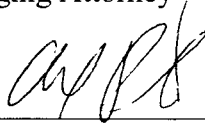
Dated: July 26, 2019

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 26, 2019, in accordance with 16 TAC § 22.74.



Alexander Petak