

Control Number: 50117



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APPLICATION OF HILL COUNTRY §  
UTILITIES, LLC TO TRANSFER §  
MEMBERSHIP INTERESTS PURSUANT §  
TO TEXAS WATER CODE § 13.302 §

PUBLIC UTILITY COMMISSION  
OF TEXAS

**JOINT MOTION TO ADMIT EVIDENCE**

The Staff of the Public Utility Commission of Texas (“Staff”) and Lantana Land Company LLC and CRD 2017 Trust (jointly, the “Applicants”) file this Joint Motion to Admit Evidence. Staff and Applicants request that certain evidence be admitted into the record in support of their Proposed Notice of Approval. In support of their Joint Motion to Admit Evidence, Staff and the Applicants stated the following:

**I. BACKGROUND**

On October 21, 2019, Hill Country Utilities, LLC (“Hill Country”) filed a request for approval to transfer membership interests in the limited liability company pursuant to Tex. Water Code (“TWC”) § 13.302 and 16 Tex. Admin. Code (“TAC”) § 24.243. Under the transaction, Lantana Land Company LLC would sell its member interest to CRD 2017 Trust. Hill Country provides water service to customers in Bandera County through the Cielo Rio water system under Certificate of Convenience and Necessity (“CCN”) No. 13112. Hill Country also holds a sewer CCN under CCN No. 21002.

On October 24, 2019, the Commission issued a Protective Order governing the use of all information deemed confidential (“Protected Materials”) or highly confidential (“Highly Sensitive Protected Materials”). On November 20, 2019, Staff requested an extension of time to review the application. On November 21, 2019, the Administrative Law Judge issued Order No. 2 granting the extension of time for staff review. On November 21, 2019 and December 2, 2019, Applicants filed additional information in response to Staff requests.

December 4, 2019, Staff filed their Recommendation on Administrative Completeness. On December 11, 2019, Staff and Applicants filed their proposed notice of approval.

## **II. EVIDENCE TO BE ADMITTED**

Staff and Applicants request that the following be admitted as evidence in the record:

- a. Exhibit 1: Application of Hill Country Utilities, LLC to Transfer Membership Interests Pursuant to TWC § 13.302 and accompanying exhibits (October 21, 2019);
- b. Exhibit 2: Applicants additional information in response to Staff requests (November 21, 2019 and December 2, 2019);
- c. Exhibit 3: Staff's recommendation on final disposition and recommendation on administrative completeness (December 4, 2019);
- d. Exhibit 4: Order No. 3 deeming the application administratively complete and established a procedural schedule (December 9, 2019).

## **III. CONCLUSION**


Staff and Applicants request that the evidence specified in the Joint Motion to Admit Evidence be admitted into the record. Staff and Applicants further request any and all other relief to which they may be entitled.

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

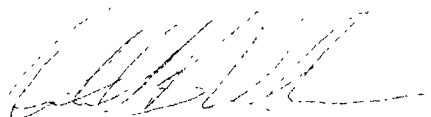
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Randall B. Wilburn

**ATTORNEYS FOR HILL COUNTRY  
UTILITIES, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 11<sup>th</sup> day of December 2019.

A handwritten signature in black ink, appearing to read "Randall B. Wilburn", written over a horizontal line.

Randall B. Wilburn

**DOCKET NO. 50117**

<b>APPLICATION OF HILL COUNTRY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>UTILITIES, LLC TO TRANSFER</b>	<b>§</b>	
<b>MEMBERSHIP INTERESTS PURSUANT</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TO TEXAS WATER CODE § 13.302</b>	<b>§</b>	

**NOTICE OF APPROVAL**

This Notice of Approval addresses the October 21, 2019 application filed by Lantana Land Company LLC and CRD 2017 Trust (collectively “Applicants”) for transfer of the membership interest in Hill Country Utilities, LLC to CRD 2017 Trust. On December 4, 2019, the Staff of the Public Utility Commission (“Staff”) recommended that the Commission approval the application for transfer of membership interest. The application and requested transfer of membership interests are approved. The Commission adopts the following findings of fact and conclusions of law:

**I. FINDINGS OF FACT**

***Procedural History, Description, and Background***

1. On October 21, 2019, Applicants filed an application for the transfer of membership interest pursuant to Tex. Water Code (“TWC”) § 13.302 and 16 Tex. Admin. Code (“TAC”) § 24.243.
2. On October 23, 2019, the Administrative Law Judge (“ALJ”) issued Order No. 1, which required Staff to file a recommendation regarding the administrative completeness of the application and proposed scheduled by November 21, 2019.
3. On November 20, 2019, the Staff filed a request for extension of time for filing comments on the administrative completeness of the application.
4. On November 21, 2019, the ALJ issued Order No. 2 granting the requested extension of time.

5. On November 21, 2019 and December 2, 2019, Applicants filed information in response to request from Staff.
6. On December 4, 2019, Staff filed its Recommendation on Administrative Completeness.
7. On December 9, 2019, the ALJ issued Order No. 3 deeming the Application complete and establishing a procedural schedule.
8. On December 11, 2019, Staff and the Applicants filed their Joint Motion to Admit Evidence.
9. On \_\_\_\_\_, the Commission granted the Joint Motion to Admit Evidence. The following evidence was admitted into the record:
  - a. Exhibit 1: Application of Hill Country Utilities, LLC to Transfer Membership Interests Pursuant to TWC § 13.302 and accompanying exhibits (October 21, 2019);
  - b. Exhibit 2: Applicants additional information in response to Staff requests (November 21, 2019 and December 2, 2019);
  - c. Exhibit 3: Staff's recommendation on final disposition and recommendation on administrative completeness (December 4, 2019); and
  - d. Exhibit 4: Order No. 3 deeming the application administratively complete and established a procedural schedule (December 9, 2019).

***Informal Disposition***

10. No party has filed a hearing request. No party disputes any issues of law or fact; therefore, a hearing is not necessary.

**II. LEGAL CONCLUSIONS**

1. The Commission has jurisdiction over the application of Lantana Land Company LLC and CRD 2017 Trust under TWC § 13.302 and 16 TAC § 24.243.

2. Hill Country Utilities, LLC is a retail public utility as defined by TWC § 13.002(19) and 16 TAC § 24.3(59).
3. The application of Lantana Land Company LLC and CRD 2017 Trust was processed in accordance with the requirements of the Administrative Procedure Act, Tex. Gov't. Code §§ 2001.001-2001.092, TWC § 13.302, and 16 TAC § 24.243.

### **III. ORDERING PROVISIONS**

The Commission issues the following ordering paragraphs in accordance with these findings of fact and conclusions of law:

1. The application of Lantana Land Company LLC and CRD 2017 Trust is approved.
2. The membership interest in Hill Country Utilities, LLC may be transferred to CRD 2017 Trust.
3. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted in this Notice of Approval, are denied.

**SIGNED AT AUSTIN, TEXAS on the \_\_\_\_ day of December 2019.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

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**STEVEN LEARY**  
**ADMINISTRATIVE LAW JUDGE**