



Control Number: 50224



Item Number: 16

Addendum StartPage: 0



DOCKET NO. 50224

APPLICATION OF CITY OF	§	PUBLIC UTILITY COMMISSION
BRUCEVILLE-EDDY AND ELM	§	
CREEK WATER SUPPLY	§	OF TEXAS
CORPORATION FOR SALE,	§	
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN MCLENNAN COUNTY	§	

**STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE AND AMENDED
PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Staff's Recommendation on Sufficiency of Notice and Amended Proposed Procedural Schedule. Staff recommends that notice is sufficient. In support thereof, Staff shows the following:

I. BACKGROUND

On November 12, 2019, the City of Bruceville-Eddy (Bruceville-Eddy) and Elm Creek Water Supply Corporation (Elm Creek WSC) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in McLennan County. Bruceville-Eddy seeks to transfer a portion of its water service area under CCN No. 11285 to Elm Creek WSC, to be held under Elm Creek WSC's water CCN No. 10031. The requested sale and transfer includes approximately 20 acres and 0 connections. On April 23, 2020, the Applicants filed affidavits attesting that notice of the application was provided to current customers, neighboring utilities and cities, and other affected persons.

On April 17, 2020, Order No. 4 in this proceeding was issued, establishing a procedural schedule for processing of the application and requiring Staff to file a recommendation on the sufficiency of notice by May 21, 2020. Therefore, this pleading is timely filed.

II. NOTICE

Staff has reviewed the affidavits of notice filed on April 23, 2020 and recommends that all applicable notice requirements have been satisfied. Therefore, Staff recommends that no additional notice be required.

He

IV. AMENDED PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that notice in this matter is sufficient, Staff proposes the following additions to the procedural schedule:

Event	Date
Notice completed	April 22, 2020
Deadline to intervene; deadline for intervenors to request a hearing on the merits	June 11, 2020
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	July 13, 2020
Deadline for parties to file a response to Staff's recommendation	July 27, 2020
120-day deadline for the Commission to approve the sale or require a hearing	August 20, 2020 ¹

V. CONCLUSION

Staff recommends that notice be found sufficient and that the above-proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendations.

¹ Under 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 April 22, 2020 is August 20, 2020.

Dated: May 21, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/Courtney Dean

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DOCKET NO. 50224

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on May 21, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Courtney Dean

Courtney N. Dean