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DOCKET NO. 50251

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APPLICATION OF JRM WATER LLC §
AND CSWR-TEXAS UTILITY §
OPERATING COMPANY, LLC FOR §
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN VICTORIA COUNTY §

**COMMISSION STAFF’S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS, PROPOSED NOTICE
AND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 2, files this Supplemental Recommendation on Administrative Completeness, Proposed Notice and Proposed Procedural Schedule. Staff recommends that the application be deemed sufficient for further review. In support thereof, Staff shows the following:

I. BACKGROUND

On November 18, 2019, CSWR-Texas Utility Operating Company (CSWR) and JRM Water LLC (JRM) (collectively, Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities and certificate rights in Victoria County, Texas, under Texas Water Code (TWC) § 13.301 and the 16 Tex. Admin. Code (TAC) § 24.239. Specifically, the Purchaser seeks approval to acquire facilities, transfer water service area, obtain a new water Certificate of Convenience and Necessity (CCN) and cancel JRM's Water CCN No. 11548. Applicants filed supplemental information on January 9, 2020.

On December 30, 2019, Order No. 2 was issued establishing a deadline of January 30, 2020, for Staff to file a supplemental 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 Nabaraj Pokharel in the Commission’s Infrastructure Division, Staff has reviewed the application and supplemental information filed by Applicant and recommends that it be found administratively complete and accepted for filing.

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Staff's recommendation on administrative completeness is not a comment on the merits of the application, but only that it is complete for further processing.

I. NOTICE

As detailed in the attached memorandum, Staff recommends that Applicants proceed with providing public notice. Specifically, Staff recommends that Applicants be directed to use the attached *Notice for Publication* form to publish notice once each week for two consecutive weeks in a newspaper of general circulation in Victoria County. Staff further recommends that Applicant be directed to use the attached *Notice to Landowners, Neighboring Systems, and Cities* form to complete the following actions:

1) Provide notice of the application to the following:

- a) cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area;
- b) the county judge of each county that is wholly or partially included in the requested area;
- c) each groundwater conservation district that is wholly or partially included in the requested area;
- d) landowners who own a tract of land that is at least 25 acres and is wholly or partly located in the requested area to be certified. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the requested area is located;
- e) any affected customers, and other affected parties in the requested area; and
- f) publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Victoria County.

2) Provide correct notice of the application to the following:

- Goliad County WSC (CCN No. 13028)
- JRM Water LLC (CCN No. 11548)
- Guadalupe-Blanco River Authority
- San Antonio River Authority
- Victoria County Groundwater Conservation District
- Victoria County Navigation District
- Victoria County Judge

3) Provide an accurate map delineating the requested area with each individual notice to neighboring utilities, other affected parties, and customers. Information related to districts including addresses can be obtained by the Applicant from the Texas Commission on Environmental Quality's (TCEQ) web site located at <http://www14.tceq.texas.gov/iwud/>

- 4) File in the docket a map and copy of notice along with an affidavit specifying every person and entity to whom notice was provided, the date that the notice was provided, and the publisher's affidavit for proof of newspaper publication. It is recommended that the Applicant use the attached notices and affidavits to meet these requirements.

IV. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

Event	Date
Deadline for Applicant to file with the Commission signed affidavits that the notice was given along with a copy of the notice sent to the affected parties and published in a newspaper of general circulation	March 16, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	March 26, 2020
Deadline to intervene	30 days after notice is issued

V. CONCLUSION

For the reasons detailed above, Staff recommends that the application, as supplemented, be found administratively complete, that Applicants be directed to provide notice as detailed above and in the attached memorandum, and that the procedural schedule proposed above be adopted.

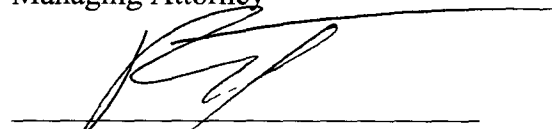
Dated: January 29, 2020

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 January 29, 2020, in accordance with 16 Texas Administrative Code § 22.74


Rustin Tawater