



Control Number: 50311



Item Number: 46

Addendum StartPage: 0

DOCKET NO. 50311

2020 JUN 26 PM 12:51  
PUBLIC UTILITY COMMISSION  
OF TEXAS

APPLICATION OF COPANO §  
HEIGHTS WATER COMPANY AND §  
CSWRTEXAS UTILITY OPERATING §  
COMPANY, LLC FOR SALE, §  
TRANSFER, OR MERGER OF §  
FACILITIES AND CERTIFICATE §  
RIGHTS IN ARANSAS COUNTY §

**COMMISSION STAFF’S MOTION TO WITHDRAW REQUEST FOR HEARING AND PROPOSED PROCDURAL SCHEDULE**

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 6, files this Motion to Withdraw Request for Hearing and Proposed Procedural Schedule. In support thereof, Staff shows the following:

**I. BACKGROUND**

On December 4, 2019, Copano Heights and CSWR-Texas filed an application for approval of the sale, transfer, or merger of facilities and CCN rights in Aransas County. Copano Heights seeks to transfer its water service area held under CCN number 11960 to CSWR-Texas and issue a new CCN to CSWR-Texas. The requested sale and transfer includes approximately 61 acres and 110 connections.

On May 26, 2020, Staff requested referral to the State Office of Administrative Hearings (SOAH) for a hearing on the merits. In that request, Staff also requested that referral be delayed to allow additional time for Staff to conduct discovery. On May 29, 2020, CSWR filed its response to Staff's Request for Hearing indicating that it agreed with Staff's request to delay referral.

On June 1, 2020, the Commission Administrative Law Judge (ALJ) issued Order No. 6, which required Staff to file a status report by June 26, 2020. This pleading is therefore timely filed.

**II. MOTION TO WITHDRAW REQUEST FOR HEARING**

On May 26, 2020, Staff requested referral to the State Office of Administrative Hearings (SOAH) for a hearing on the merits. The parties to this proceeding have since completed discovery, and Staff has now received the documentation necessary to move forward and recommend

approval of the transaction without the need for a contested hearing on the merits. Accordingly, Staff respectfully withdraws its request for an evidentiary hearing on the merits.

### III. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's motion to withdraw its request for hearing, Staff proposes the following supplemental procedural schedule:

Deadline for Staff to file a recommendation on the approval of the sale	July 8, 2020
Deadline for parties to file a response to Staff's recommendation	July 15, 2020
Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing the transaction to proceed	July 22, 2020

### IV. CONCLUSION

For the reasons discussed above, Staff respectfully withdraws its request for a hearing on the merits and requests the above proposed procedural schedule be adopted for further processing of this docket.

Dated: June 26, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Heath D. Armstrong  
Managing Attorney

/s/ Rustin Tawater  
Rustin Tawater  
State Bar No. 24110430  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7230  
(512) 936-7268 (facsimile)  
rustin.tawater@puc.texas.gov

**DOCKET NO. 50311  
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 June 26, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Rustin Tawater  
Rustin Tawater