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**DOCKET NO. 50319**

**APPLICATION OF SWWC UTILITIES, INC. DBA WATER SERVICES, INC. AND MONARCH UTILITIES I, L.P. FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BANDERA, BEXAR, COMAL, GILLESPIE, GUADALUPE, HAYS, KENDALL, KERR, AND MEDINA COUNTIES**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**STAFF’S SUPPLEMENTAL RECOMMENDATION ON THE SUFFICIENCY OF NOTICE AND 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 Supplemental Recommendation on the Sufficiency of Notice and Proposed Procedural Schedule. Staff recommends that notice of the application is sufficient. In support thereof, Staff shows the following:

**I. BACKGROUND**

On December 5, 2019, SWWC Utilities, Inc. d/b/a Water Services, Inc. (SWWC) and Monarch Utilities I, L.P. (Monarch) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in in Bandera, Bexar, Comal, Gillespie, Guadalupe, Hays, Kendall, Kerr, and Medina Counties. Specifically, SWWC seeks to transfer the water service area held under its Certificate of Convenience and Necessity (CCN) No. 11106 and the associated facilities to Monarch and then cancel its CCN. The requested sale and transfer includes approximately 8,258 acres and 3,905 customers. The Applicants filed proof of notice on June 4, 2020 and June 8, 2020. The Applicants filed supplemental proof of notice on July 9, 2020 and July 13, 2020.

On June 29, 2020, Order No. 5 in this proceeding was issued, requiring Staff to file a supplemental recommendation on the sufficiency of notice by July 16, 2020. Therefore, this pleading is timely filed.

## II. SUFFICIENCY OF NOTICE

Staff has reviewed the Applicants' proof of notice, as supplemented, and recommends that notice is sufficient. Specifically, Staff recommends that notice of the application has been properly provided to all parties required under 16 Texas Administrative Code (TAC) §§ 24.239(b)-(d), as detailed in Staff's May 15, 2020, recommendation. Additionally, the Applicants' July 13, 2020 filing included a PDF copy of the maps provided to affected parties via hyperlink included in the notice document. Therefore, Staff recommends that notice be found sufficient and that no additional notice be required.

## IV. PROPOSED PROCEDURAL SCHEDULE

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

Event	Date
Notice completed	June 26, 2020
Deadline for intervention	July 27, 2020 <sup>1</sup>
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	August 26, 2020
Deadline for parties to file a response to Staff's recommendation	September 9, 2020
120-day deadline for the Commission to approve the sale or require a hearing	October 26, 2020 <sup>2</sup>

## 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.

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<sup>1</sup> Under 16 TAC § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was complete on June 26, 2020. Therefore, 30 days after June 26, 2020 is Sunday, July 26, 2020. The next day the Commission is open for business is Monday, July 27, 2020.

<sup>2</sup> 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 June 26, 2020 is Saturday, October 24, 2020. The next day the Commission is open for business is Monday, October 26, 2020.

Dated: July 16, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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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 July 16, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Courtney Dean  
Courtney N. Dean