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**DOCKET NO. 50422**

<b>APPLICATION OF JOHNSON WATER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SERVICE AND SP UTILITY</b>	<b>§</b>	
<b>COMPANY, INC. FOR SALE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TRANSFER OR MERGER OF</b>	<b>§</b>	
<b>FACILITIES AND CERTIFICATE</b>	<b>§</b>	
<b>RIGHTS IN BRAZORIA COUNTY</b>	<b>§</b>	

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

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

**I. BACKGROUND**

On January 8, 2020, Johnson Water Service (JWS) and SP Utility Company, Inc. (SPUC) (collectively, "the Applicants") filed an application for sale, transfer, or merger of facilities and certificate rights in Brazoria County. JWS seeks to sell its facilities and to transfer its water service area held under Certificate of Convenience and Necessity (CCN) No. 12004 to SPUC. The requested sale and transfer includes approximately 28 acres and 44 connections. On March 23, 2020 and May 11, 2020, the Applicants filed supplemental information. On May 12, 2020 the applicant filed proof of notice.

On May 5, 2020, Order No. 5 was issued, giving Staff a deadline of June 1, 2020 to file a recommendation on sufficiency of notice. Therefore, this pleading is timely filed.

**II. NOTICE**

Staff has reviewed the notice documentation filed by SPUC on May 12, 2020. SPUC filed an Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties indicating that notice of the application was mailed to the entities listed on the affidavits on April 28, 2020. Following a review of the notice of application filings, Staff recommends that SPUC's notice be deemed sufficient.

### **III. PROCEDURAL SCHEDULE**

In accordance with Staff's recommendation that SPUC's notice be found sufficient, Staff proposes the following procedural schedule.:

<b>Event</b>	<b>Date</b>
Notice complete	April 28, 2020
Deadline for intervention	May 28, 2020 <sup>1</sup>
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale.	June 29, 2020
Deadline for parties to file a response to Staff's recommendation	July 29, 2020
120 day deadline for the Commission to approve the sale or require a hearing	August 26, 2020 <sup>2</sup>

### **IV. CONCLUSION**

For the reasons discussed above, Staff respectfully recommends that proof of notice be found sufficient and that the procedural schedule proposed above be adopted.

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<sup>1</sup> Pursuant to 16 TAC § 24.239(b), the intervention period shall not be less than thirty (30) days unless good cause is shown. Notice was mailed on April 28, 2020. Therefore, thirty (30) days after April 28, 2020 is Thursday, May 28, 2020.

<sup>2</sup> Pursuant to 16 TAC § 24.239(a) and (j), the deadline for Commission action is one hundred twenty (120) days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after April 28, 2020 is Wednesday, August 26, 2020.

Dated: June 1, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Heath D. Armstrong  
Managing Attorney

/s/ Robert Dakota Parish  
Robert Dakota Parish  
State Bar No. 24116875  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7442  
(512) 936-7268 (facsimile)  
Robert.Parish@puc.texas.gov

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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 June 1, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish  
Robert Dakota Parish