



Control Number: 50424



Item Number: 26

Addendum StartPage: 0



DOCKET NO. 50424

**APPLICATION OF MONARCH
UTILITIES 1, L.P. AND GOINS
UTILITY SERVICE LLC FOR SALE,
TRANSFER, OR MERGER OF
FACILITIES AND UNCERTIFICATED
AREA OF POLK COUNTY** §
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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Notice Sufficiency. In support thereof, Staff shows the following:

I. BACKGROUND

On January 8, 2020, Monarch Utilities 1, L.P. (Monarch) and Goins Utility Service LLC (Goins) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and uncertificated area in Polk County. Monarch seeks to purchase all the water and wastewater assets of Goins. The requested sale and transfer includes 36 connections and approximately 17 total acres for the requested water service area and approximately 24 total acres for the requested sewer service area. The Applicants filed supplemental information to their application on March 10, 2020, April 7, 2020, and on April 27, 2020.

On July 7, 2020, the Commission administrative law judge (ALJ) issued Order No. 5, finding the application administratively complete and directing the Applicants to provide proof of notice by July 31, 2020. On August 6, 2020, the ALJ issued Order No. 6, granting Monarch’s request for extension to file proof of notice and extending the deadline to August 7, 2020. Order No. 6 also established a deadline of August 25, 2020 for Staff to file a recommendation on sufficiency of notice and to propose a supplemental procedural schedule. Therefore, this pleading is timely filed.

II. NOTICE SUFFICIENCY

Staff has reviewed the proof of notice filed by the Applicants on August 6, 2020 and on August 10, 2020 and recommends that the notice be found sufficient, contingent upon the Applicants providing a sworn statement confirming that notice was sent to each owner of a tract

of land that is at least 25 acres and is wholly or partly located in the requested area to be certified or that no such landowners exist.

IV. PROCEDURAL SCHEDULE

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

Event	Date
Notice completed	August 2, 2020
Deadline for intervention	September 1, 2020 ¹
Deadline for Applicants to provide a sworn statement confirming that notice was sent to each owner of a tract of land that is at least 25 acres and is wholly or partly located in the requested area to be certified	September 1, 2020
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	October 1, 2020
Deadline for parties to file a response to Staff's recommendation	October 15, 2020
120-day deadline for the Commission to approve the sale or require a hearing	November 30, 2020 ²

V. CONCLUSION

Staff respectfully requests the entry of an order finding the Applicants' notice sufficient, contingent upon the Applicants filing a sworn statement confirming that notice was sent to each owner of a tract of land that is at least 25 acres or that no such landowners exist, and adopting the above proposed procedural schedule.

¹ Pursuant to 16 TAC § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed on July 28, 2020 and published on July 26, 2020 and August 2, 2020. Therefore, 30 days after August 2, 2020 is September 1, 2020.

² Pursuant to 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 August 2, 2020 is November 30, 2020.

Dated: August 25, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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DOCKET NO. 50424

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 August 25, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Taylor P. Denison
Taylor P. Denison