

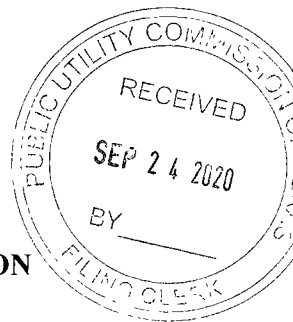


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DOCKET NO. 50501

APPLICATION OF KENNETH V	§	PUBLIC UTILITY COMMISSION
LAND AND GREG COBURN FOR	§	
SALE, TRANSFER, OR MERGER OF	§	OF TEXAS
EXEMPT UTILITY REGISTRATION	§	

ORDER NO. 7
REQUIRING ADDITIONAL INFORMATION

On January 30, 2020, Kenneth V. Land and Greg Coburn applied to transfer Mr. Land's exempt utility registration to Mr. Coburn. Perhaps because the procedures for transferring an exempt registration status from one person to another are not well-developed, Mr. Land and Mr. Coburn submitted their application using a form for the sale, transfer, or merger (STM) of a certificate of convenience and necessity (CCN).

Since the filing of the application, there has been some confusion about how best to process it. On September 18, 2020, Mr. Land filed a letter which provided additional context as to his objectives. On September 23, 2020, Commission Staff filed a supplemental recommendation. Commission Staff recommends that, due to the absence of any rule specifically addressing this type of application, the appropriate path forward would be to treat the application as one to: (1) cancel Mr. Land's exempt utility registration N0063; and (2) register the exempt utility in question in Mr. Coburn's name. Commission Staff asks that the case be restyled and that the application be found administratively complete. However, Commission Staff also suggests that, "out of an abundance of caution," Mr. Land should submit an affidavit expressly stating that he wishes to cancel his exempt utility registration.

The administrative law judge (ALJ) believes that the solution proposed by Commission Staff would establish a clear path forward. The ALJ cannot, however, find the application administratively complete at this time. Neither applicant has formally asked for what Commission Staff describes. The ALJ agrees that Mr. Land should submit an affidavit expressly stating that he wishes to cancel his exempt utility registration. Additionally, the ALJ is of the opinion that Mr. Coburn should formally ask for exempt registration status and provide the information required by 16 Texas Administrative Code (TAC) § 24.229 to obtain that status. Commission

Staff is encouraged to assist Mr. Land and Mr. Coburn in preparing the documents necessary to move this case forward.

By October 15, 2020, Mr. Land and Mr. Coburn must file the documents described in this Order or otherwise attempt to make the application administratively complete. By October 29, 2020, Commission Staff must file a recommendation on administrative completeness and notice, and propose a procedural schedule.

Signed at Austin, Texas the 24th day of September 2020.

PUBLIC UTILITY COMMISSION OF TEXAS


HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE