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DOCKET NO. 50585

APPLICATION OF POLONIA WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION AND THE	§	
CITY OF LOCKHART FOR SALE,	§	OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN CALDWELL COUNTY	§	

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON SUFFICIENCY
OF CLOSING DOCUMENTS AND PROPOSED PROCEDURAL SCHEDULE**

On February 24, 2020, Polonia Water Supply Corporation (Polonia WSC) and the City of Lockhart (Lockhart, together Applicants) filed an application for sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in Caldwell County. Polonia WSC seeks to transfer a portion of its water service area held under CCN No. 10420 to Lockhart. The requested area includes approximately 2,373 acres and 25 connections.

On January 29, 2021, the administrative law judge (ALJ) filed Order No. 10 requiring the Staff of the Public Utility Commission of Texas (Staff) to file a supplemental recommendation on the sufficiency of closing documents and propose a procedural schedule for the further processing of the application by February 26, 2021. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents and customer deposit information filed by Applicants on December 30, 2020 and February 11, 2021. Based on its review, Staff has determined that Applicants' filing meets the requirements of 16 Texas Administrative Code (TAC) §§ 24.239(k)(1) & (3), (l), and (n). Staff also recommends that the good cause exception requested by the Applicants be granted for 16 TAC §§ 24.239(k)(2) & (4).

Applicants filed a fully executed bill of sale, signed by both the transferor and transferee, showing consummation of the sale on December 30, 2020; filed supplemental information on customer deposits on February 11, 2021; and confirmed there were no outstanding customer deposits. Staff therefore recommends a finding that customer deposits have been adequately addressed as required by 16 TAC § 24.239(k) and (l), and that a good cause exception under 16 TAC § 24.2(b) be granted to waive the requirements of 16 TAC §§ 24.239(k)(2) & (4). Accordingly, based upon Applicants' completion of the requirements, subject to a good cause exception for the requirements of 16 TAC §§ 24.239(k)(2) & (4), Staff recommends that the

closing documents be found sufficient and that there are no issues related to customer deposits to address as a result of the transaction.

II. PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Applicants' closing documents be found sufficient, Staff proposes the following procedural schedule:

Events	Date
Deadline for Commission Staff to provide final maps, certificates, and tariffs (if applicable), to applicants for review and consent	March 19, 2021
Deadline for applicants to file signed consent forms with the Commission	April 2, 2021
Deadline for parties to jointly file Proposed Notice of Approval, including findings of fact, conclusions of law, and ordering paragraphs	April 16, 2021

III. CONCLUSION

For the reasons discussed above, Staff respectfully requests that an order be issued finding the closing documents filed by Applicants sufficient. Staff further requests that the procedural schedule above be adopted for the continued processing of this docket.

Dated: February 26, 2021

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 February 26, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish