

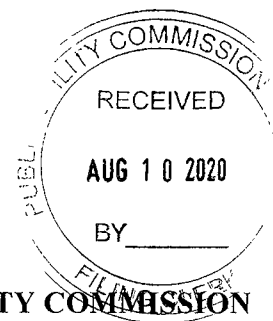


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DOCKET NO. 50659

APPLICATION OF MONTGOMERY	§	PUBLIC UTILITY COMMISSION
COUNTY MUNICIPAL UTILITY	§	
DISTRICT NO. 126 AND CITY OF	§	OF TEXAS
CONROE FOR SALE, TRANSFER, OR	§	
MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN	§	
MONTGOMERY COUNTY	§	

**COMMISSION STAFF'S RECOMMENDATION ON
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 Recommendation on Sufficiency of Notice and Proposed Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On March 13, 2020, Montgomery County MUD (MC MUD) and the City of Conroe (Conroe) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Montgomery County. Specifically, MC MUD seeks approval of the transfer of all of its water and sewer service areas held under water Certificate of Convenience and Necessity No. (CCN) 13258 and sewer CCN No. 21104 to Conroe's water CCN No. 10339 and sewer CCN No. 20135. The requested sale and transfer include 174 acres and 568 connections in Montgomery County. Applicants filed supplemental information on May 5, 2020 and May 11, 2020.

On June 30, 2020, Order No. 4 was issued in this proceeding, finding the application administratively complete and requiring Staff to file a recommendation on sufficiency of notice by August 10, 2020. Therefore, this pleading is timely filed.

II. NOTICE

Staff has reviewed the notice documentation filed by MC MUD on July 27, 2020. MC MUD 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 July 24, 2020.

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Following its review of the notice of the application filings, Staff recommends that Applicants' notice be deemed sufficient.

III. PROCEDURAL SCHEDULE

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

Event	Date
Notice completed	July 24, 2020
Deadline for intervention	August 24, 2020 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale	September 24, 2020
Deadline for parties to file a response to Staff's recommendation	October 1, 2020
120-day deadline for the Commission to approve the sale or require a hearing	November 23, 2020 ²

IV. CONCLUSION

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

¹ 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 July 24, 2020. Therefore, thirty (30) days after July 24, 2020 is Sunday, August 23, 2020. Since the Commission is closed on August 23, 2020, the period runs until the end of the next day on which the Commission is open for business, Monday, August 24, 2020

² 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 July 24, 2020 is Saturday, November 21, 2020. Since the Commission is closed on November 21, 2020, the period runs until the end of the next day on which the Commission is open for business, Monday, November 23, 2020

Dated: August 10, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Heath D. Armstrong
Managing Attorney

/s/ Rustin Tawater
Rustin Tawater
State Bar No. 24110430
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7230
(512) 936-7268 (facsimile)
rustin.tawater@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 August 10, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Rustin Tawater
Rustin Tawater