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DOCKET NO. 50927



PETITION OF THE CITY OF
MESQUITE AND TALTY SPECIAL
UTILITY DISTRICT FOR APPROVAL
OF A SERVICE AREA CONTRACT
UNDER TEXAS WATER CODE
§ 13.248 AND TO AMEND
CERTIFICATES OF CONVENIENCE
AND NECESSITY IN KAUFMAN
COUNTY

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PUBLIC UTILITY COMMISSION
OF TEXAS

**ORDER NO. 2
REQUESTING RESPONSE**

This Order addresses the City of Mesquite's July 17, 2020 response to Commission Staff's recommendation on administrative completeness. Commission Staff recommended that the application be found administratively incomplete. Further, Commission Staff stated that this application cannot be processed under Texas Water Code (TWC) § 13.248 and 16 Texas Administrative Code § 24.253 because it involves a transfer of facilities, and recommended that Mesquite be ordered to file an application for sale, transfer, or merger (STM).

In a response filed on July 17, 2020, Mesquite asserts that because TWC § 13.301 only applies to transactions involving a utility or a water supply or sewer service corporation and does not apply to transactions between two political subdivisions, an STM application is not required in this proceeding.

On or before August 21, 2020, Commission Staff must file a reply to the legal arguments raised in Mesquite's July 17, 2020 response.

Signed at Austin, Texas the 5th day of August 2020.

PUBLIC UTILITY COMMISSION OF TEXAS

STEVEN LEARY
ADMINISTRATIVE LAW JUDGE