



Control Number: 51003



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DOCKET NO. 51003



**APPLICATION OF OAK HILL RANCH §
ESTATES WATER AND CSWR-TEXAS §
UTILITY OPERATING COMPANY, LLC §
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN GUADALUPE AND WILSON §
COUNTIES §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this recommendation. Staff recommends that the application be found administratively incomplete at this time. In support thereof, Staff would show the following:

I. BACKGROUND

On July 1, 2020, Richard Billings dba Richard Billings Water Supply Company dba Oak Hills Ranch Estates Water Company (Oak Hills) and CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) (collectively, Applicants) filed an application for the sale of facilities in Guadalupe and Wilson Counties. Oak Hills seeks to transfer its water service area and facilities held under certificate of convenience and necessity (CCN) No. 12051 to CSWR-Texas. The proposed transaction is comprised of 990 acres and 196 current customers between Oak Hills’ certificated area and presently served uncertificated area.

Order No. 2, issued on July 31, 2020, directed Staff to file comments on the administrative completeness of the application and proposed notice and a recommendation regarding how to proceed with the application by August 17, 2020. This pleading, therefore, is timely filed.

II. RECOMMENDATION

After review, and as supported by the attached memorandum of Jolie Mathis of the Commission’s Infrastructure Division, Staff recommends that the application be found administratively incomplete. Staff recommends that the Applicants cure the deficiencies identified in Ms. Mathis’ memo by August 24, 2020, and that Staff be given until August 31,

2020, to file a supplemental recommendation on administrative completeness. Staff notes that the Applicants should not issue notice until the application is found administratively complete.

III. PROPOSED PROCEDURAL SCHEDULE

In accordance with its deficiency recommendation, Staff does not propose a procedural schedule for further processing of this docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation for administrative completeness.

IV. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the foregoing request.

Dated: August 17, 2020

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 August 17, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Creighton R. McMurray
Creighton R. McMurray

PUC Interoffice Memorandum

To: Creighton McMurray, Attorney
Legal Division

From: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

Date: August 17, 2020

Subject: **Docket No. 51003**, *Application of Oak Hill Ranch Estates Water and CSWR-Texas Utility Operating Company, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Guadalupe and Wilson Counties*

On July 1, 2020, CSWR-Texas Utility Operating Company, LLC (Purchaser) and Oak Hills Ranch Estates Water Company (Seller) (collectively, Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities and certificate rights in Guadalupe and Wilson Counties, Texas, pursuant to Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, the Purchaser, Certificate of Convenience and Necessity (CCN) No. 13290, seeks approval to acquire facilities and to transfer all of the Seller's water CCN No. 12051.

Staff has reviewed the information provided by the Applicants and recommends that the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

Mapping Content:

Staff recommends that the maps submitted with Item 1 on July 1, 2020, and Item 8 on July 14, 2020 are deficient.

Staff further recommends that the Applicants submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet); **OR** metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).