



Control Number: 51031



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DOCKET NO. 50276

**APPLICATION OF NORTH VICTORIA, §
UTILITIES, INC. AND CSWR-TEXAS §
UTILITY OPERATING COMPANY, LLC §
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN VICTORIA COUNTY §**

**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

DOCKET NO. 50311

**APPLICATION OF COPANO HEIGHTS §
WATER COMPANY AND CSWR-TEXAS §
UTILITY OPERATING COMPANY, LLC §
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN ARANSAS COUNTY §**

**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

DOCKET NO. 50989

**APPLICATION OF RANCH COUNTRY §
OF TEXAS WATER SYSTEMS, INC. §
AND CSWR-TEXAS UTILITY §
OPERATING COMPANY, LLC FOR §
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN AUSTIN COUNTY §**

**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

DOCKET NO. 51003

**APPLICATION OF RICHARD BILLINGS §
D/B/A OAK HILLS RANCH ESTATES §
WATER COMPANY AND CSWR-TEXAS §
UTILITY OPERATING COMPANY, LLC §
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN GUADALUPE COUNTY §**

**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

DOCKET NO. 51026

APPLICATION OF TALL PINES §
UTILITY, INC. AND CSWR-TEXAS § BEFORE THE
UTILITY OPERATING COMPANY, LLC §
FOR SALE, TRANSFER, OR MERGER § PUBLIC UTILITY COMMISSION
OF FACILITIES AND CERTIFICATE §
RIGHTS IN HARRIS COUNTY § OF TEXAS

DOCKET NO. 51031

APPLICATION OF COUNCIL CREEK §
VILLAGE, INC. DBA COUNCIL CREEK § BEFORE THE
VILLAGE DBA SOUTH COUNCIL §
CREEK 2 AND CSWR TEXAS UTILITY § PUBLIC UTILITY COMMISSION
OPERATING COMPANY, LLC FOR §
SALE, TRANSFER, OR MERGER OF § OF TEXAS
FACILITIES AND CERTIFICATE §
RIGHTS IN BURNET COUNTY §

DOCKET NO. 51036

APPLICATION OF KATHIE LOU §
DANIELS D/B/A WOODLANDS WEST § BEFORE THE
AND CSWR - TEXAS UTILITY §
OPERATING COMPANY, LLC FOR § PUBLIC UTILITY COMMISSION
SALE, TRANSFER, OR MERGER OF § OF TEXAS
FACILITIES AND CERTIFICATE §
RIGHTS IN BURLESON COUNTY §

DOCKET NO. 51047

APPLICATION OF JONES-OWENS §
COMPANY DBA SOUTH SILVER § BEFORE THE
CREEK I, II, AND III AND CSWR- §
TEXAS UTILITY COMPANY, LLC FOR § PUBLIC UTILITY COMMISSION
SALE, TRANSFER, OR MERGER OF § OF TEXAS
FACILITIES AND CERTIFICATE §
RIGHTS IN TRAVIS COUNTY §

DOCKET NO. 51065

APPLICATION OF TREETOP	§	
UTILITIES, INC. AND CSWR-TEXAS	§	BEFORE THE
UTILITY OPERATING COMPANY, LLC	§	
FOR SALE, TRANSFER, OR MERGER	§	PUBLIC UTILITY COMMISSION
OF FACILITIES AND CERTIFICATE	§	
RIGHTS IN PARKER COUNTY	§	OF TEXAS

DOCKET NO. 51089

APPLICATION OF DONALD E. WILSON	§	
D/B/A QUIET VILLAGE II D/B/A QV	§	BEFORE THE
UTILITY AND CSWR-TEXAS UTILITY	§	
OPERATING COMPANY, LLC FOR	§	PUBLIC UTILITY COMMISSION
SALE, TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	OF TEXAS
RIGHTS IN HIDALGO COUNTY	§	

DOCKET NO. 51118

APPLICATION OF SHADY OAKS	§	
WATER SUPPLY COMPANY, LLC AND	§	BEFORE THE
CHARLEY STROZIER, L.P. AND CSWR-	§	
TEXAS UTILITY OPERATING	§	PUBLIC UTILITY COMMISSION
COMPANY, LLC FOR SALE,	§	
TRANSFER, OR MERGER OF	§	OF TEXAS
FACILITIES AND CERTIFICATE	§	
RIGHTS IN WILSON COUNTY	§	

DOCKET NO. 51126

APPLICATION OF AERO VALLEY	§	
WATER SERVICE AND CSWR-TEXAS	§	BEFORE THE
UTILITY OPERATING COMPANY, LLC	§	
FOR SALE, TRANSFER, OR MERGER	§	PUBLIC UTILITY COMMISSION
OF FACILITIES AND CERTIFICATE	§	
RIGHTS IN DENTON COUNTY	§	OF TEXAS

DOCKET NO. 51130

APPLICATION OF LAGUNA VISTA	§	
LIMITED AND LAGUNA TRES, INC.,	§	BEFORE THE
AND CSWR-TEXAS UTILITY	§	
OPERATING COMPANY, LLC FOR	§	PUBLIC UTILITY COMMISSION
SALE, TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	OF TEXAS
RIGHTS IN HOOD COUNTY	§	

DOCKET NO. 51146

APPLICATION OF ABRAXAS	§	
CORPORATION AND CSWR-TEXAS	§	BEFORE THE
UTILITY OPERATING COMPANY, LLC	§	
FOR SALE, TRANSFER, OR MERGER	§	PUBLIC UTILITY COMMISSION
OF FACILITIES AND CERTIFICATE	§	
RIGHTS IN PARKER COUNTY	§	OF TEXAS

DOCKET NO. 51222

APPLICATION OF THE ESTATE OF	§	
PATETREEN PETTY MCCOY DBA BIG	§	BEFORE THE
WOOD SPRINGS WATER COMPANY	§	
AND CSWR-TEXAS UTILITY	§	PUBLIC UTILITY COMMISSION
OPERATING COMPANY, LLC FOR	§	
SALE, TRANSFER, OR MERGER OF	§	OF TEXAS
FACILITIES AND CERTIFICATE	§	
RIGHTS IN WOOD COUNTY	§	

JOINT RESPONSE TO ORDER DIRECTING ADMINISTRATIVE PROCESSING AND PROPOSED PROCEDURAL SCHEDULE IN DOCKET NOS. 50276, 50311, 50989, 51003, 51026, 51031, 51036, 51047, 51065, 51089, 51118, 51126, 51130, 51146 AND 51222

CSWR-Texas Utility Operating Company, LLC (“CSWR Texas” or the “Company”) and the Staff (“Staff”) of the Public Utility Commission Texas submit this joint response to the Order Directing Administrative Processing (“Processing Order”) issued on August 20, 2020 in Docket Nos. 50276, 50311, 50989, 51003, 51026, 51031, 51036, 51047, 51065, 51089, 51118, 51126, 51130, and 51146 and would show as follows:

I. RESPONSE TO ORDER DIRECTING ADMINISTRATIVE PROCESSING

The Processing Order identifies certain concerns raised by Commission Staff regarding the continued processing of the fifteen pending STM proceedings filed by CSWR Texas since November 2019.¹ Specifically, the presiding officer had noted that these proceedings are “inextricably intertwined” and has directed the Company and Staff to process these proceedings in such a way as to permit Staff to make a comprehensive recommendation and the presiding officer to evaluate whether the Company has the capability to serve each of the individual fifteen systems as well as all fifteen systems in total. The Commission issued an order allowing the transaction to proceed in one of these sixteen pending proceedings, Docket No. 50251, on August 3, 2020.

In response to the Processing Order, Commission Staff filed its updated recommendations on the transactions at issue in Docket 50276 and 50311 on September 3, 2020. The Company and Staff will shortly file updated motions to admit evidence and proposed orders in each of these dockets.

With regards to the other 13 pending STM proceedings, the Company and Commission Staff agree that a directed approach would facilitate the processing of these applications. The Company and Staff believe that in order to facilitate the necessary recommendations as to the Company’s ability to serve each of the individual systems, as well as all sixteen systems in total, it is necessary to coordinate deadlines for the provision of notice,² intervention deadlines, and Staff’s recommendations on the proposed transactions. The Company and Staff propose to address eight of these thirteen proceedings in two groups of four and respectfully request that the

¹ Since the Processing Order was issued, the Company has filed an additional STM in Docket No. 51222. This docket is addressed in the proposed procedural schedules in this Joint Response.

² Under 16 TAC § 24.239(a) and (h), the 120-day deadline for the Commission to approve the transaction to proceed or request a hearing is determined by the date notice is mailed (or published if notice by publication is required).

procedural schedules below be adopted for further processing of these applications such that the Company would be authorized to close these eight transactions by the end of the year, subject to the approval of the presiding officer:

	<u>Group 2</u> 50989, 51026, 51065, 51118	<u>Group 3</u> 51031, 51047, 51130, 51146
Deadline for applicants to provide notice	September 10, 2020	September 21, 2020
Deadline for applicants to file proof of notice, including signed affidavits that notice was provided and a copy of the notice sent to the affected parties	September 17, 2020	September 23, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	October 1, 2020	October 1, 2020
Deadline to file a motion to intervene; deadline to request a hearing on the merits	October 12, 2020	October 14, 2020
Deadline for Staff to request a hearing or file a recommendation on approval of the sale and on the CCN amendment	November 12, 2020	November 13, 2020
Deadline for parties to file a response to Staff's recommendation on approval of the sale	November 30, 2020	November 30, 2020
Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing transaction to proceed.	December 11, 2020	December 7, 2020
120-day deadline for the Commission to approve the sale or require a hearing	January 8, 2021	January 18, 2021

All four of the dockets in Group 2 have been found administratively complete, and a procedural schedule has been adopted. The parties request to amend the pending procedural schedules in Docket Nos. 50989, 51026, 51065, and 51118 accordingly. Three of the dockets in Group 3 have pending deadlines for the filing of Staff's recommendation on administrative completeness (Docket Nos. 51031, 51047 and 51146), and two of those deadlines (Docket Nos. 51031 and 51047) do not comport with the procedural schedule requested above. Staff has recommended that Docket No. 51130 is administratively complete, but no order has been issued in response to Staff's recommendation. The parties request that the deadlines for Staff's recommendations on

administrative completeness in Docket Nos. 51031 and 51047 be modified so that Staff's recommendations are due on September 14, 2020 with the intention that the Company may issue notice in all dockets on September 21, 2020, consistent with the proposed procedural schedule.

Regarding the remaining five pending STMs—Docket Nos. 51003, 51036, 51089, 51126, and 51222—as noted below, the Company and Staff request that these dockets be abated to allow the parties to focus on processing the other pending STM proceedings.

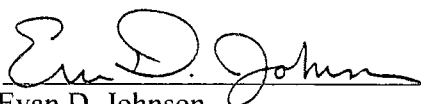
II. REQUEST TO ABATE DOCKET NOS. 51003, 51036, 51089, 51126, AND 51222

For the reasons listed above, the Company requests to abate Docket No. 51003, 51036, 51089, 51126, and 51222 until such time that the Company and Staff have made sufficient progress on the processing of the other eight proceedings. The parties will provide an update on the status of the abatement and a proposed schedule for processing these applications by October 15, 2020.

Respectfully submitted,

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**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

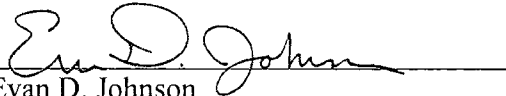
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of September 2020, a true and correct copy of the foregoing document was served on all parties of record via electronic mail in accordance with the Order Suspending Rules issued in Project No. 50664.


Evan D. Johnson