



Control Number: 51048



Item Number: 3

Addendum StartPage: 0



DOCKET NO. 51048

**APPLICATION OF PERRIN WATER
SYSTEMS, INC. AND PATTERSON
WATER SUPPLY CORPORATION FOR
SALE, TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN JACK COUNTY**

§
§
§
§
§
§

PUBLIC UTILITY COMMISSION

OF TEXAS

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS, PROPOSED NOTICE, AND PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness, Proposed Notice, and Procedural Schedule. Staff recommends that the application be deemed administratively complete. In support thereof, Staff shows the following:

I. BACKGROUND

On July 14, 2020, Patterson Water Supply Corporation (Patterson WSC) and Perrin Water Systems, Inc. (Perrin) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger (STM) of facilities and certificate rights in Jack County, Texas pursuant to Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239. Specifically, Patterson WSC, water Certificate of Convenience and Necessity (CCN) No. 13248, seeks approval to acquire facilities and to transfer all of Perrin's service area under water CCN No. 12196 to Patterson WSC's CCN. The requested area includes approximately 163 acres and 129 connections.

On July 15, 2020, the Administrative Law Judge (ALJ) issued Order No. 1, establishing a deadline of August 13, 2020, for Staff to file comments on the administrative completeness of the application and proposed notice and to propose a procedural schedule. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and, as detailed in the attached memorandum from Jolie Mathis of the Commission's Infrastructure Division, recommends that the application be

found administratively complete for further processing. Staff does not comment on the merits of the application at this time.

III. NOTICE

In accordance with Staff's recommendation of administrative completeness, Staff recommends that the Applicants proceed with providing public notice as required under 16 TAC § 24.239(a)-(c). Specifically, Staff recommends that the Applicants use the attached *Notice to Current Customers, Neighboring Systems, and Cities* form to provide notice by first-class mail to the persons and entities detailed in Ms. Mathis' memorandum. Along with each individual notice, Staff recommends that the Applicants provide an accurate map delineating the requested service area.

Additionally, Staff recommends that the Applicants file the attached *Affidavit of Notice* form upon completion of notice, along with a list of the names and addresses of all persons and entities who were provided notice, as detailed in the proposed procedural schedule below.

IV. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for further processing of this docket:

Event	Date
Deadline for Applicants to file with the Commission signed affidavits that notice was provided, along with a copy of the notice and maps sent to the affected parties	September 14, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	September 28, 2020
Deadline to intervene	Thirty (30) days after notice is issued

V. CONCLUSION

For the reasons detailed above, Staff recommends that the application be deemed administratively complete, that the Applicants be directed to provide notice as detailed in Ms. Mathis' attached memorandum, and that the proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendations.

Dated: August 13, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Justin C. Adkins
Justin C. Adkins
State Bar No. 24101070
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7289
(512) 936-7268 (facsimile)
Justin.Adkins@puc.texas.gov

DOCKET NO. 51048

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 13, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Justin C. Adkins
Justin C. Adkins

PUC Interoffice Memorandum

To: Justin Adkins, Attorney
Legal Division

From: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

Date: August 13, 2020

Subject: **Docket No. 51048**, *Application of Perrin Water Systems, Inc. and Patterson Water Supply Corporation for Sale, Transfer, or Merger of Facilities and Certificate Rights in Jack County*

On July 14, 2020, Patterson Water Supply Corporation (Patterson) and Perrin Water Systems, Inc. (Perrin) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger (STM) of facilities and certificate rights in Jack County, Texas pursuant to Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, Patterson, water Certificate of Convenience and Necessity (CCN) No. 13248, seeks approval to acquire facilities and to transfer all of the service area under Perrin's water CCN No. 12196. The requested area includes approximately 163 acres and 129 connections.

Staff from the Rate Regulation Division and Infrastructure Division have reviewed the information filed by the Applicants and recommend that the application be deemed administratively complete. Staff further recommends that Applicants be ordered to do the following:

- 1) Provide notice of the application by first-class mail to the following:
 - a. Cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area:
 - *Brazos River Authority*
 - *East Keechi Creek WCID 1*
 - b. The county judge of each county that is wholly or partially included in the requested area:
 - *Jack County Judge*
 - c. Each groundwater conservation district that is wholly or partially included in the requested area:
 - *None*
 - d. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained by the Applicants from the Water Utility Database online at <http://www.puc.texas.gov/watersearch>. Information related to districts including addresses can be obtained from the Texas Commission on Environmental Quality's (TCEQ) web site located at <http://www.tceq.texas.gov/iwud/>.

- 2) Provide notice and proof of notice using the attached notice and affidavit forms.
- 3) Provide a copy of map delineating the requested area along with each individual notice to neighboring utilities, other affected parties, and customers.

Staff may determine that additional information is needed to make a final recommendation in this docket. If additional information is needed, Staff may send requests for information (RFI) to the Applicants. The Applicants will have 20 days from the receipt of the RFI to provide responses.

Notice to Current Customers, Neighboring Systems, and Cities

PATTERSON WATER SUPPLY CORPORATION, CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) NO. 13248, NOTICE OF INTENT TO PURCHASE WATER
FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12196 IN
JACK COUNTY, TEXAS

To: _____ Date Notice Mailed: _____, 20____
(Name of Customer, Neighboring System, or City)

(Address)

(City) State Zip)

Patterson Water Supply Corporation 1508 HWY 377 N Collinsville, TX 76233
(Purchaser's Name) (Address) (City), (State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to
purchase Perrin Water Systems, Inc. water facilities and to transfer water certificated service area
under CCN No. 12196, in Jack County, TX from:

Perrin Water Systems, Inc. P.O. Box 910 Collinsville, TX 76233-910
(Seller's Name) (Address) (City), (State) (Zip Code)

The sale is scheduled to take place if approved by the Commission (V.T.C.A., Water Code
§ 13.301). The transaction and the transfer of the CCN includes the following subdivision:
N/A.

The requested area subject to this transaction is located approximately 15 miles north of downtown
Mineral Wells, Texas, and is generally bounded on the north by North Loop Road; on the east by
500 feet of intersection of FM 2210 and South Stadium Street; on the south by Back Cemetery
Road; and on the west by Price Lane. The total requested area for the water or sewer CCN(s)
being transferred includes approximately 163 acres and 129 current customers. **See enclosed map
showing the requested area.**

This transaction will not have an effect on the current customer's rates and services.

*Persons who wish to intervene in the proceeding or comment upon action sought should contact
the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public
Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired
individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The
deadline for intervention in the proceeding is (30 days from the mailing or publication of notice,
whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter
requesting intervention to the commission which is received by that date. The letter must include
the person's name, address, email address and fax number if applicable.*

If a valid public hearing is requested, the Commission will forward the application to the State
Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an

evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

Utility Representative

Utility Name

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND
AFFECTED PARTIES
DOCKET NO. 51048

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

Updated: April 13, 2020