



Control Number: 51089



Item Number: 29

Addendum StartPage: 0

**DOCKET NO. 51089**

2020 NOV -5 PM 12:21  
**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**APPLICATION OF DONALD E. §  
WILSON DBA QUIET VILLAGE II §  
DBA QV UTILITY AND CSWR- §  
TEXAS UTILITY OPERATING §  
COMPANY, LLC FOR SALE, §  
TRANSFER, OR MERGER OF §  
FACILITIES AND CERTIFICATE §  
RIGHTS IN HIDALGO COUNTY §**

**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. 5, 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 20, 2020, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and Donald E. Wilson dba Quiet Village II dba QV Utility (QV Utility) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Hidalgo County. Applicants filed supplemental information on July 27, 2020 and November 3 and 4, 2020.

On October 15, 2020, the administrative law judge (ALJ) filed Order No. 5, unabating the docket and establishing a deadline of November 5, 2020, for Staff to file a recommendation on the administrative completeness of the application and proposed notice, and a recommendation regarding how to proceed with the application, and to propose a procedural schedule. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, Staff has reviewed the application and supplements and recommends that it be found

administratively complete. Staff's recommendation on administrative completeness is not a comment on the merits of the application, but only that it is complete for further processing.

### III. NOTICE

At this time, Staff recommends that the Applicants proceed with providing public notice to all current customers, persons, political subdivisions, and other entities listed in the attached memorandum using the notice provided by Ms. Garcia. Along with each individual notice, Staff recommends that Applicants provide an accurate map delineating the requested water and sewer service areas. Once notice has been provided, Staff recommends that the Applicants file proof of notice as described in the attached memorandum, including an affidavit specifying the name and address of every person and entity to whom notice was provided, the date that the notice was provided, and a copy of the maps provided with the notice. Finally, Staff recommends that the Applicants use the attached notice and affidavit to meet these requirements.

### IV. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline for Applicants to file with the Commission signed affidavits that the notice was given along with a copy of the notice and maps sent to the affected parties	December 4, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	December 14, 2020
Deadline to intervene	Thirty (30) days after notice is issued

### V. CONCLUSION

Staff respectfully recommends that the application be found administratively complete, that the Applicants be directed to provide notice as detailed in the attached memorandum, and that the proposed procedural schedule be adopted.

Dated: November 5, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Eleanor D'Ambrosio  
Managing Attorney

/s/ John Harrison

John Harrison  
State Bar No. 24097806  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7277  
(512) 936-7268 (facsimile)  
John.Harrison@puc.texas.gov

**DOCKET NO. 51089**

**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 November 5, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ John Harrison

John Harrison

# *Public Utility Commission of Texas*

---

## **Memorandum**

**TO:** John Harrison, Attorney  
Legal Division

**FROM:** Patricia Garcia, Senior Engineering Specialist  
Infrastructure Division

**DATE:** November 5, 2020

**RE:** Docket No. 51089 – *Application of Donald E. Wilson dba Quiet Village II dba QV Utility and CSWR-Texas Utility Operating Company, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Hidalgo County*

---

CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and Donald E. Wilson dba Quiet Village II dba QV Utility (QV Utility)<sup>1</sup> filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Hidalgo County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, CSWR-Texas, water\_CCN No. 13290 and sewer CCN No. 21120,<sup>2</sup> seeks approval to acquire facilities and to transfer all water and sewer service area from QV Utility under water CCN No. 12730 and sewer CCN No. 20780. The requested area includes approximately 18.5 acres and 165 current connections.

Based on the mapping review by Tracy Montes, Infrastructure Division, the financial and managerial review by Fred Bednarski, III, Rate Regulation Division, and my technical and managerial review of the information filed, I recommend that the application be deemed administratively complete. I further recommend that CSWR-Texas and QV Utility 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:

---

<sup>1</sup> The Commission's Water Utility Database shows that Donald E. Wilson dba Q V Utility holds water certificate of convenience and necessity (CCN) No. 21120 and sewer CCN No. 20780.

<sup>2</sup> Final approval for CSWR-Texas to obtain water CCN No. 13290 is pending in Docket Nos. 50251, 50279, and 50311, and final approval for CSWR-Texas to obtain sewer CCN No. 21120 is pending in Docket Nos. 51130 and 51146.

- *City of Alamo (CCN Nos. 11187, 20461)*
- *City of Donna (CCN Nos. 12790, 20825)*
- *Donna Irrigation District Hidalgo County 1*
- *Hidalgo County Drainage District 1*
- *Hidalgo County Irrigation District 2*
- *Military Highway WSC (CCN Nos. 10551, 20571)*
- *North Alamo WSC (CCN Nos. 10553, 20645)*
- *Rio Grande Regional Water Authority*

b. The county judge of each county that is wholly or partially included in the requested area:

- *Hidalgo County Judge*

c. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained from the Water Utility Database at <http://www.puc.texas.gov/watersearch>. District information and addresses can be obtained from the Texas Commission on Environmental Quality's (TCEQ) web site located at <http://www14.tceq.texas.gov/iwud/>.

- 2) Provide notice using the attached notice form.
- 3) Provide a copy of a map(s) (maps deemed sufficient during administrative review) delineating the requested area with each individual notice to neighboring utilities, other affected parties, and customers.
- 4) File in the docket a map and copy of notice along with the signed affidavit specifying every person and entity to whom notice was provided, and the date that the notice was provided.

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 CSWR-Texas and QV Utility. CSWR-Texas and QV Utility will have 20 days from the receipt of the RFI to respond.

**Notice to Current Customers, Neighboring Systems, and Cities**

CSWR-TEXAS UTILITY OPERATING COMPANY, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NOS. 13290 AND 21120, NOTICE OF INTENT TO PURCHASE WATER AND SEWER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12730 AND SEWER SERVICE AREA UNDER CCN NO. 20780 FROM DONALD E. WILSON DBA QUIET VILLAGE II DBA QV UTILITY IN HIDALGO COUNTY, TEXAS

To: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_, 20\_\_\_\_  
(Name of Customer, Neighboring System, or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City State Zip)

CSWR-Texas Utility Operating Company, LLC 1650 Des Peres Rd, Suite 303  
(Purchaser's Name) (Address)  
St. Louis, MO 63131  
(City), (State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase Donald E. Wilson dba Q V Utility water facilities and to transfer water certificated service area under CCN No. 12730 and sewer facilities and to transfer sewer certificated service area under CCN No. 20780, in Hidalgo County, TX from:

Q V Utility 215 S. Valley View Rd., Lot 104 Donna, TX 78537  
(Seller's Name) (Address) (City), (State) (Zip Code)

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivision:  
Quiet Village II Subdivision.

The requested area subject to the transaction is located approximately 1.35 miles west of downtown Donna, Texas, and is generally bounded on the north by 150 feet north of North Quiet Village Drive; on the east by 100 feet east of East Quiet Village Drive; on the south by 150 feet south of South Quiet Village Drive; and on the west by 150 feet west of West Quiet Village Drive. The total requested area includes approximately 18.5 acres and 165 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. 51089

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: October 15, 2020