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DOCKET NO. 51146

APPLICATION OF ABRAXAS CORPORATION AND CSWR-TEXAS UTILITY OPERATING COMPANY, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN PARKER 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 August 6, 2020, Abraxas Corporation (Abraxas) and CSWR-Texas Utility Operating Company, LLC (CSWR) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Parker County. CSWR seeks approval to acquire facilities and to transfer Abraxas’ water service area held under Certificate of Convenience and Necessity (CCN) No. 11596 and Abraxas’ sewer service area held under CCN No. 20759. The requested area includes approximately 721 acres and 437 connections. CSWR supplemented the application on August 18, 2020.

On August 12, 2020, the administrative law judge (ALJ) issued Order No. 1, establishing a deadline of September 5, 2020, for Staff to file comments on the administrative completeness of the application and proposed notice and to file a recommendation regarding how to proceed with the application and to propose a procedural schedule. Therefore, this pleading is timely filed.<sup>1</sup>

II. ADMINISTRATIVE COMPLETENESS

<sup>1</sup> September 5, 2020 was a Saturday, and the Commission was closed for business on Monday, September 7, 2020. Therefore, the deadline is September 8, 2020 under 16 Tex. Admin. Code § 22.4(a).

Staff has reviewed the application and supplement and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, recommends that it be found administratively complete and accepted for filing. 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. Mathis. Along with each individual notice, Staff recommends that the Applicants provide an accurate map delineating the requested water and sewer service area.

Within 30 days of the provision of notice, Staff recommends that the Applicants file proof of notice as described in the attached memorandum. 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:

<b>Event</b>	<b>Date</b>
Deadline for Applicants to provide notice	September 21, 2020
Deadline for Applicants to file with the Commission signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties	September 23, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	October 1, 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.