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DOCKET NO. 51192

APPLICATION OF WHISPERING	§	PUBLIC UTILITY COMMISSION
OAKS WATER WORKS AND	§	
MIBROMA 3 LLC FOR SALE,	§	OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN GILLESPIE COUNTY	§	

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF THE
CLOSING DOCUMENTS**

On August 19, 2020, MiBroMa 3 LLC (MiBroMa) and Whispering Oaks Water Works (Whispering Oaks) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Gillespie County. Specifically, Whispering Oaks seeks to sell and transfer all of its facilities and water service area under Certificate of Convenience and Necessity (CCN) No. 12446 to MiBroMa; MiBroMa will retain CCN No. 12446. The requested area includes approximately 51 acres and 69 connections. Applicants filed supplemental proof of notice on April 28 and 29, 2021 and May 19 and 20, 2021.

On December 29, 2021, the administrative law judge filed Order No. 10, establishing a deadline of January 7, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation regarding the sufficiency of the closing documents and propose a procedural schedule for further processing of the docket. Therefore, this pleading is timely filed.

I. STAFF’S RECOMMENDATION

Staff has reviewed the Applicants’ proof of closing and recommends that the closing documents satisfy the requirements under 16 Texas Administrative Code (TAC) § 24.239(l). Specifically, the closing documents include a proper bill of sale that is signed by both Applicants. Staff notes that there are no customer deposits to be addressed as required by 16 TAC § 24.239(k). Therefore, Staff recommends that the Applicants’ proof of closing be found sufficient.

II. PROPOSED PROCEDURAL SCHEDULE

Staff recommends that the Applicants' closing documents be found sufficient. Therefore, Staff proposes the following procedural schedule for continued processing of this docket:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent	January 21, 2022
Deadline for Applicants to file signed consent forms with the Commission	January 28, 2022
Deadline for parties to file joint proposed findings of fact and conclusions of law	February 11, 2022

III. CONCLUSION

Staff recommends that the Applicants' closing documents be found sufficient and that the above-proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendations.

Dated: January 7, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Forrest Smith
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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 January 7, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith