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

**ORDER NO. 3
FINDING APPLICATION INCOMPLETE AND DEFICIENT,
AND ESTABLISHING AN OPPORTUNITY TO CURE**

This Order addresses Commission Staff's supplemental recommendation on administrative completeness filed on November 19, 2020. Commission Staff recommended that the application continue to be deemed administratively incomplete, noting that, as of the time of filing of the recommendation, the applicants had not filed anything to cure the deficiencies identified in Commission Staff's September 21, 2020 recommendation on application sufficiency.

The administrative law judge continues to find the application administratively incomplete and deficient. Under 16 Texas Administrative Code § 24.8(d), the Commission does not consider an application filed until it makes a determination that the application is administratively complete. Thus, at this time the application is not considered filed with the Commission.

On or before December 21, 2020, the applicants must supplement the application to cure the deficiencies as described in the September 21, 2020 memorandum of Alicia Maloy. Until the Commission receives and reviews the supplemental information, the application cannot proceed. The applicants must not issue notice until the application is deemed administratively complete. The administrative law judge (ALJ) notes that the applicants filed supplemental documents on November 19, 2020 that were not addressed in Commission Staff's supplemental recommendation. The ALJ requests that these documents, in addition to any other supplemental documents filed by the applicant, be addressed in Commission Staff's second supplemental recommendation on application sufficiency.

On or before January 29, 2021, Commission Staff must file a second supplemental recommendation regarding the administrative completeness of the application and proposed notice, along with a proposed procedural schedule, if appropriate.

8.

Signed at Austin, Texas the 23rd day of November 2020.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'S. Leary', written over a horizontal line.

STEVEN LEARY
ADMINISTRATIVE LAW JUDGE