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APPLICATION OF AQUA UTILITIES,	§	PUBLIC UTILITY COMMISSION
INC. AND AQUA TEXAS, INC. FOR	§	
SALE, TRANSFER, OR MERGER OF	§	OF TEXAS
FACILITIES AND CERTIFICATE	§	
RIGHTS IN BANDERA COUNTY	§	

**COMMISSION STAFF'S RECOMMENDATION ON
SUFFICIENCY OF NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Sufficiency of Notice and Proposed Procedural Schedule. Staff recommends that the application be deemed administratively complete. In support thereof, Staff shows the following:

I. BACKGROUND

On October 21, 2020, Aqua Texas, Inc. (Aqua Texas) and Aqua Utilities, Inc. (Aqua Utilities) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Bandera County. Specifically, Applicants seek to transfer the Blue Medina Water public water system from Aqua Utilities to Aqua Texas. The total requested area consists of 474 acres with 75 customer connections. Applicants filed supplemental information on November 10, 2020 and November 18, 2020. Applicants filed Proof of Notice on December 30, 2020 and January 4, 2021.

On January 4, 2021, the administrative law judge (ALJ) filed Order No. 3, ordering Staff to file a recommendation on the sufficiency of notice by January 11, 2021. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF NOTICE

Staff has reviewed the notice documentation filed by Applicants on December 30, 2020 and January 4, 2021. Applicants filed an Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties on January 4, 2021 indicating that notice of the application was mailed to the affected parties on December 10, 2020. Applicants filed the affidavit and a copy of notice and map in the docket within 30 days of the date of notice.

Applicants’ also filed a publisher’s affidavit on December 30, 2020 showing that notice was published in *The Bandera Bulletin*, a newspaper of general circulation in Bandera County, on December 16, 2020 and December 23, 2020. Applicants filed the publisher’s affidavit in the docket within 30 days of the date of notice.

Staff has reviewed Applicant’s proof of notice and finds that Applicants provided notice in accordance with Staff’s Recommendation on Administrative Completeness and Proposed Notice filed on November 23, 2020. Therefore, Staff recommends that Applicants’ notice of the application be deemed sufficient.

III. PROCEDURAL SCHEDULE

Staff recommends that notice be found sufficient. Therefore, Staff proposes the following procedural schedule:

Event	Date
Notice complete	December 23, 2020
Deadline for intervention	January 22, 2021 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale.	February 22, 2021
Deadline for parties to file a response to Staff’s recommendation	March 22, 2021
120 day deadline for the Commission to approve the sale or require a hearing	April 22, 2021 ²

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the notice be found sufficient and that the proposed procedural schedule be adopted.

¹ Pursuant to 16 TAC § 24.239(b), the intervention period shall not be less than thirty (30) days unless good cause is shown. Notice was published on December 23, 2020. Therefore, thirty (30) days after December 23, 2020 is Friday, January 22, 2021.

² Pursuant to 16 TAC § 24.239(a) and (j), the deadline for Commission action is one hundred twenty (120) days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after December 23, 2020 is Thursday, April 22, 2021.

Date: January 11, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 11, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish