



Control Number: 51530



Item Number: 13

Addendum StartPage: 0

DOCKET NO. 51530

**APPLICATION OF ESPERANZA §
WATER SERVICE COMPANY, INC. §
AND EL PASO WATER UTILITIES §
PUBLIC SERVICE BOARD FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN HUDSPETH COUNTY §**

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

On November 17, 2020, El Paso Water Utilities Public Service Board (El Paso) and Esperanza Water Service Company, Inc. (Esperanza WSC) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Hudspeth County. Specifically, El Paso seeks approval to acquire facilities and to transfer all of water service area from Esperanza WSC under water Certificate of Convenience and Necessity (CCN) No. 12881 to El Paso's CCN No. 10211. The requested area includes approximately 18,102 acres and 292 connections. Applicants filed proof of notice on January 4, 2021, January 6, 2021, and January 11, 2021.

On December 30, 2020, the administrative law judge (ALJ) filed Order No. 2, ordering Commission Staff (Staff) to file a recommendation on the sufficiency of notice by February 1, 2021. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF NOTICE

Applicants filed an Affidavit of Notice to Neighboring Utilities and Affected Parties on January 4, 2021 and January 6, 2021 indicating that notice of the application was mailed to the affected parties on December 31, 2020 and January 6, 2020. Further, Applicants filed an Affidavit of Notice to Current Customers on January 11, 2021 indicating that notice of the application was mailed to customers on January 6, 2021. Applicants filed the affidavit and a copy of notice and map in the docket within 30 days of the date of notice.

Staff has reviewed Applicant's proof of notice and recommends that Applicants provided notice in accordance with Staff's Recommendation on Administrative Completeness and Proposed

Notice filed on December 17, 2020. Therefore, Staff recommends that Applicants' notice of the application be deemed sufficient.

II. PROCEDURAL SCHEDULE

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

Event	Date
Notice complete	January 6, 2021
Deadline for intervention	February 5, 2021 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale.	March 5, 2021
Deadline for parties to file a response to Staff's recommendation	April 5, 2021
120 day deadline for the Commission to approve the sale or require a hearing	May 6, 2021 ²

III. CONCLUSION

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

¹ Under 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 January 6, 2021. Therefore, thirty (30) days after January 6, 2021 is Friday, February 5, 2021.

² Under 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 January 6, 2020 is Thursday, May 6, 2021.

Date: February 1, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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DOCKET NO. 51530

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 February 1, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish