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DOCKET NO. 51530

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

COMMISSION STAFF’S RECOMMENDATION ON THE CLOSING DOCUMENTS

On November 17, 2020, El Paso Water Utilities Public Service Board (El Paso) and Esperanza Water Service Company, Inc. (Esperanza WSC) (collectively, the 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 17,594 acres and 292 connections.

On May 5, 2021, the administrative law judge (ALJ) filed Order No. 9 granting that the sale is approved and allowing Applicants to proceed with the transaction. On July 6, 2021, the Applicants filed a notice of completed transaction.

I. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents and customer deposit information filed by Applicants on July 6, 2021. Based on its review, Staff has determined that Applicants’ filing meets the requirements of 16 Texas Administrative Code (TAC) §§ 24.239(k)-(n). Applicants filed a fully executed bill of sale, signed by both the transferor and transferee, showing consummation of the sale on April 30, 2021. Further, Applicants provided that there were no outstanding customer deposits to be addressed in compliance with 16 TAC § 24.239(k) and (l). Accordingly, based upon Applicants’ completion of the requirements, as stated in the Commission’s rules, Staff recommends that the closing documents be found sufficient and that there are no issues related to customer deposits to address as a result of the transaction.

II. PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Applicants' closing documents be found sufficient, Staff proposes the following procedural schedule:

Events	Date
Deadline for Commission Staff to provide final maps, certificates, and tariffs (if applicable), to applicants for review and consent	August 20, 2021
Deadline for applicants to file signed consent forms with the Commission	October 3, 2021
Deadline for parties to jointly file Proposed Notice of Approval, including findings of fact, conclusions of law, and ordering paragraphs	October 17, 2021

III. CONCLUSION

For the reasons discussed above, Staff respectfully requests that an order be issued finding the closing documents filed by Applicants sufficient. Staff further requests that the procedural schedule above be adopted for continued processing of this docket

Date: July 21, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Robert Dakota Parish
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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 July 21, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish