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**APPLICATION OF FRANKLIN WATER §
SERVICE CO. LLC AND CSWR-TEXAS §
UTILITY OPERATING COMPANY, §
LLC FOR SALE, TRANSFER, OR §
MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN LUBBOCK §
COUNTY §**

PUBLIC UTILITY COMMISSION

OF TEXAS
PUBLIC UTILITY COMMISSION
CLERK

COMMISSION STAFF’S SUPPLEMENTAL RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE

On November 20, 2020, Franklin Water Service Co. (Franklin) and CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) (collectively, the applicants) filed an application with the Public Utility Commission of Texas (Commission) for approval of the sale and transfer of certificate of convenience and necessity (CCN) rights in Lubbock County. The applicants seek approval to transfer all facilities and water service area held by Franklin under water CCN number 12374 to CSWR-Texas’ water CCN number 13290. The requested area includes approximately 186 acres and 219 connections. The applicants filed supplemental information on November 23, 2020, January 4, 2021, January 5, 2021, and February 22, 2021.

On January 22, 2021, the administrative law judge filed Order No. 4 requiring Staff to file a supplemental recommendation on administrative completeness and to propose a procedural schedule by March 24, 2021. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the supplemented application and, as detailed in the attached memorandum from Alicia Maloy, Infrastructure Division, recommends that the application remains administratively incomplete at this time. Specifically, Staff recommends that the applicants must provide a signed and notarized transferor’s oath from the owner of Franklin. Staff is in contact with the applicants and understands that current ownership of Franklin is pending confirmation in a probate hearing to be held at the end of March 2021, after which time the applicants will be able to properly sign and file the required oath. Accordingly, Staff recommends that the applicants be given an opportunity to cure the identified deficiency in accordance with the procedural schedule proposed below.

II. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's recommendation, Staff proposes the following procedural schedule for the continued processing of this application:

Event	Date
Deadline for applicant to file information to cure deficiencies identified in Staff's memorandum	April 16, 2021
Deadline for Commission Staff to file a supplemental recommendation on sufficiency of the application and proposed procedural schedule for the continued processing of this application	April 30, 2021

III. CONCLUSION

Staff recommends that the application remains administratively incomplete, that the applicants be given an opportunity to cure Staff's identified deficiencies, and that the above-proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendations.

Dated: March 24, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

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/s/Courtney Dean
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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 on March 24, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/Courtney Dean
Courtney N. Dean

Public Utility Commission of Texas

Memorandum

TO: Courtney Dean, Attorney
Legal Division

FROM: Alicia Maloy, Senior Infrastructure Analyst
Infrastructure Division

DATE: March 24, 2021

RE: Docket No. 51544 – *Application of Franklin Water Service Co. LLC and CSWR-Texas Utility Operating Company, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Lubbock County*

CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and the Franklin Water Service Co. (Franklin) (collectively, the applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Lubbock County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, the applicants seek to transfer all facilities and water service area currently held under Franklin's water certificate of convenience and necessity (CCN) number 12374 to CSWR-Texas' water CCN number 13290. The requested area includes approximately 186 acres and 219 connections.

Based on the mapping review by Tracy Montes, Infrastructure Division, the financial and managerial review by Fred Bednarski, Rate Regulation Division, and my technical and managerial review of the information filed by the applicants, I recommend that the application be deemed administratively incomplete and not accepted for filing due to the deficiency detailed below.

Application Content:

The applicants must provide a signed and notarized oath by the owner of Franklin.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).