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PUBLIC UTILITY COMMISSION
FILING CLERK**DOCKET NO. 51610**

APPLICATION OF MARKOUT	§	PUBLIC UTILITY COMMISSION
WATER SUPPLY CORPORATION AND	§	
THE CITY OF MESQUITE FOR SALE,	§	OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN KAUFMAN COUNTY	§	

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

On December 10, 2020, Markout Water Supply Corporation (Markout WSC) and the City of Mesquite (collectively, the Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Kaufman County. Specifically, the City of Mesquite, certificate of convenience and necessity (CCN) number 10060, seeks approval to acquire facilities and to transfer all of the water service area from Markout WSC under water CCN number 10846. The requested area includes approximately 6,279 acres and 1,081 connections. Applicants filed supplemental information on December 17, 2020 and January 4, 2021.

On January 13, 2021, the administrative law judge (ALJ) filed Order No. 2, requiring the Applicants to provide notice consistent with Staff's January 11, 2021 memorandum. Order No. 2 required the Applicants to file proof of notice by February 10, 2021. The Applicants filed affidavits evidencing notice and copies of the notice and maps on January 29, 2021.

Order No. 2 also established a deadline of February 24, 2021 for Staff to file recommendation on the sufficiency of notice. Therefore, this pleading is timely filed.

I. NOTICE

Staff has reviewed the proof of notice submitted by the Applicants and recommends that it be found sufficient under 16 Texas Administrative Code (TAC) § 24.239(c). The proof of notice includes the affidavit of Mark Kerby, authorized representative of the City of Mesquite, and attests that notice was provided to neighboring utilities, affected parties, and current customers as required by Order No. 2 and 16 TAC § 24.239(c). Attached to the affidavit was a copy of the notice and map provided by the Applicants. The map shows the area under Markout WSC's CCN in Kaufman County that will be transferred to the City of Mesquite.

II. CONCLUSION

Staff respectfully requests an order finding notice sufficient.

Date: February 24, 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 February 24, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ M. Justin Ackley
M. Justin Ackley