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DOCKET NO. 51877

RECEIVED

APPLICATION OF L AND T §
WATERWORKS LLC AND MONARCH §
UTILITIES I, L.P. FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN FREESTONE AND §
HENDERSON COUNTIES §

MAR 10 2021 PM 3:06
PUBLIC UTILITY COMMISSION
OF TEXAS
DIVISION

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE**

On March 8, 2021, Monarch Utilities I, L.P. (Monarch) and L and T Waterworks LLC (L and T) (collectively, the Applicants) filed an application for the sale, transfer, or merger of certificate rights in Freestone and Henderson counties. The Applicants seek approval to sell and transfer all of L and T's facilities and certificated service area under water certificate of convenience and necessity (CCN) numbers 12919 and 12993 to Monarch's water CCN number 12983, and the cancellation of L and T's water CCN numbers 12919 and 12993. The applicants also request that a portion of the area requested be dually certificated with CCN number 10793, held by Turlington WSC and a second portion be decertified from CCN number 10791, held by South Freestone County WSC. Applicants filed supplemental information on March 15, 2021.

On March 10, 2021, the administrative law judge filed Order No. 1 requiring Staff to file a recommendation on administrative completeness and to propose a procedural schedule by April 8, 2021. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the application be found administratively incomplete at this time. Staff further recommends that the Applicants be given an opportunity to cure the deficiencies identified in Ms. Garcia's memorandum in accordance with the proposed procedural schedule 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 the Applicants to file information to cure deficiencies identified in Staff's memorandum	May 6, 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	May 27, 2021

III. CONCLUSION

Staff recommends that the application be found 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: April 8, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
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/s/ Kourtnee Jinks
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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 April 8, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks
Kourtnee Jinks

Public Utility Commission of Texas

Memorandum

TO: Kourtnee Jinks, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: April 8, 2021

RE: Docket No. 51877 – *Application of L and T Waterworks LLC and Monarch Utilities I, L.P. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Freestone and Henderson Counties*

Monarch Utilities I, L.P. (Monarch) and L and T Waterworks LLC (L and T) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Freestone and Henderson Counties, Texas, pursuant to Texas Water Code (TWC) §§ 13.242 to 13.250 and § 13.301 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237 and § 24.239.

Specifically, Monarch, certificate of convenience and necessity (CCN) No. 12983, seeks approval to acquire facilities and to transfer all of the water service area from L and T under water CCN Nos. 12919 and 12993, to obtain dual certification with Turlington Water Supply Corporation (WSC), CCN No. 10793, to decertify a portion of South Freestone WSC, CCN No. 10791, and to amend uncertificated area in Freestone and Henderson Counties.

Based on the mapping review by Tracy Montes, Infrastructure Division, the financial and managerial review by Fred Bednarski, III, 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 deficiencies detailed below:

Mapping Content:

The digital mapping data, general location and detailed maps filed on March 8, 2021 are deficient. The digital mapping data, general location and detailed maps must clearly identify the requested areas that Monarch is seeking to transfer, add, and decertify from each CCN holder impacted in the docket. Each portion of the requested area in the digital mapping data must accurately align with one another and must not include any gaps or overlaps with neighboring certificated service areas. Each map title and legend must clearly identify the portions of the requested area to be transferred, added, or decertified from each CCN holder as requested in this docket.

Monarch must submit the following items to resolve the mapping deficiencies:

- Revised general location maps identifying only the requested areas to be transferred, added and decertified, in reference to the nearest county boundary, city, or town.
- Revised detailed maps identifying only the requested areas to be transferred, added and decertified, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested areas for each portion to be transferred, added and decertified from each CCN holder, provided as a single polygon record, in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

Staff recommends Monarch continue to work with Ms. Tracy Montes to resolve the mapping deficiencies.