



Control Number: 51928



Item Number: 14

Addendum StartPage: 0

**DOCKET NO. 51928**

2021 JUN 16 AM 9:54

**APPLICATION OF BETTY J. DRAGOO §  
AND CSWR-TEXAS UTILITY §  
OPERATING COMPANY, LLC FOR §  
SALE, TRANSFER, OR MERGER OF §  
FACILITIES AND ASSOCIATED §  
ACREAGE IN ERATH COUNTY §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE**

On March 24, 2021, Betty J. Dragoo and CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) (collectively, Applicants) filed an application for approval of a sale and transfer in Erath County. CSWR-Texas seeks approval to acquire the Thousand Oaks Subdivision public water system and to amend the associated service area, which is currently uncertificated, to its existing certificate of convenience and necessity (CCN) No. 13290. The requested area includes approximately 96 acres and 15 connections. CSWR-Texas filed supplemental information on May 5, 6, and 7, 2021.

On April 22, 2021, the administrative law judge filed Order No. 2, establishing a deadline of June 17, 2021, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice. Therefore, this pleading is timely filed.

**I. SUFFICIENCY OF NOTICE**

Staff has reviewed the proof of notice submitted by Applicants and recommends that it be found sufficient under 16 Texas Administrative Code (TAC) § 24.239(c). On June 7, 2021, Applicants filed the affidavit of Josiah Cox, President of CSWR-Texas, attesting that notice was mailed to the persons and entities identified in Staff’s recommendation filed on April 20, 2021 using the notices provided by Staff and the maps deemed sufficient. Applicants also filed the affidavit of Amy Kolcott, Legal Clerk, attesting that notice was published on May 15 and 22, 2021 in the *Stephenville Empire Tribune*, which is a newspaper of general circulation in Erath County. Further, the copy of the text of the notice included with the publisher’s affidavit demonstrates that Applicants used the form of notice recommended by Staff.

## II. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for the continued processing of this application:

Event	Date
Notice completed	May 22, 2021
Deadline to intervene	June 21, 2021 <sup>1</sup>
Deadline for Commission Staff to request a hearing or file a recommendation on approval of the sale and on the CCN amendment	July 21, 2021
Deadline for parties to file a response to Staff's recommendation on approval of the sale	August 4, 2021
Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing transaction to proceed.	August 18, 2021
120-day deadline for the Commission to approve the sale or require a hearing	September 20, 2021 <sup>2</sup>

## III. CONCLUSION

For the reasons discussed above, Staff respectfully requests that Applicants' notice be found sufficient and that the proposed procedural schedule be adopted for further processing of this docket.

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<sup>1</sup> Under 16 TAC § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed on May 7, 2021, and published on May 15 and 22, 2021. Therefore, 30 days after May 22, 2021 is June 21, 2021.

<sup>2</sup> Under 16 TAC § 24.239(a) and (i), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after May 22, 2021 is September 19, 2021. Because September 19, 2021 falls on a Sunday, the deadline for Commission action is Monday, September 20, 2021 under 16 TAC § 22.4(a).

Dated: June 16, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**DOCKET NO. 51928**

**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 June 16, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Merritt Lander  
Merritt Lander