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DOCKET NO. 51999

APPLICATION OF T&W WATER	§	PUBLIC UTILITY COMMISSION
SERVICE COMPANY AND BELLE	§	
OAKS WATER AND SEWER CO., INC.	§	OF TEXAS
FOR SALE, TRANSFER, OR MERGER	§	
OF FACILITIES AND CERTIFICATE	§	
RIGHTS IN JEFFERSON COUNTY	§	

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE

On April 9, 2021, T&W Water Service Company (T&W) and Belle Oaks Water and Sewer Co., Inc. (Belle Oaks) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Jefferson County. Specifically, T&W seeks approval to acquire facilities and to transfer water service area held under Belle Oaks’ certificate of convenience and necessity (CCN) number 13067 and to acquire facilities and to transfer sewer service area held under Belle Oaks’ CCN No. 20965. Applicants also seek the amendment of T&W’s water CCN number 12892, the cancellation of Belle Oaks’ water and sewer CCN numbers, and the issuance of a new sewer CCN number to T&W. The requested water service area includes approximately 450 acres and the requested sewer service area includes approximately 445 acres. Applicants filed supplemental information on April 30, 2021 and June 9, 2021.

On August 10, 2021, the administrative law judge filed Order No. 3, establishing a deadline of August 26, 2021 for the Staff of the Public Utility Commission of Texas (Staff) to file a recommendation on the 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 August 17, 2021, Applicants filed the affidavit of Ron Payne, General Manager of T&W, attesting that notice was mailed to the persons and entities identified in Staff’s supplemental recommendation, filed on July 8, 2021, using the notices provided by Staff and the maps deemed sufficient. Applicants also confidentially filed a copy of the customer mailing list.

II. PROPOSED PROCEDURAL SCHEDULE

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

Event	Date
Notice completed	August 11, 2021
Deadline to intervene	September 10, 2021 ¹
Deadline for Commission Staff to request a hearing or file a recommendation on approval of the sale and on the CCN amendment	October 8, 2021
Deadline for parties to file a response to Staff's recommendation on approval of the sale	October 22, 2021
Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing transaction to proceed.	November 5, 2021
120-day deadline for the Commission to approve the sale or require a hearing	December 9, 2021 ²

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.

¹ 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 August 11, 2021. Therefore, 30 days after August 11, 2021 is September 10, 2021.

² 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 August 11, 2021 is December 9, 2021.

Dated: August 26, 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 on August 26, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Merritt Lander
Merritt Lander