



Control Number: 51999



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**DOCKET NO. 51999**

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

**2021 MAY 10 AM 10:09  
PUBLIC UTILITY COMMISSION  
OF TEXAS**

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

On April 9, 2021, T&W Water Service Company (T&W Water) and Belle Oaks Water and Sewer Co., Inc. (Belle Oaks) (collectively, Applicants) filed an application for the sale, transfer, or merger of certificate rights in Jefferson County. Applicants seek approval of the sale and transfer all of Belle Oaks' facilities and service area under water certificate of convenience and necessity (CCN) number 13067 to T&W Water's water CCN number 12892, the cancellation of Belle Oaks' water CCN, the transfer of all facilities and service area under Belle Oaks' sewer CCN number 20965 to T&W Water's newly assigned sewer CCN number, and the cancellation of Belle Oaks' sewer CCN. The requested water service area consists of approximately 450 acres and 49 customer connections. The requested sewer service area consists of approximately 445 acres and 44 customer connections. The Applicants filed supplemental information on April 30, 2021.

On April 15, 2021, the administrative law judge filed Order No. 1, requiring the Staff of the Public Utility Commission of Texas (Staff) to file a recommendation on administrative completeness and to propose a procedural schedule by May 10, 2021. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum of Patricia Garcia of the Commission's Infrastructure Division, recommends that the supplemented application be found administratively incomplete. 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. The Applicants should not issue notice until the application is found administratively complete.

## 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 Commission Staff's memorandum	June 9, 2021
Deadline for Commission Staff to file a supplemental recommendation on the administrative completeness of the application and to propose a procedural schedule for the continued processing of this application	July 9, 2021

## III. CONCLUSION

Staff recommends that the application be found administratively incomplete, that the applicants be given an opportunity to cure the 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: May 10, 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 May 10, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Merritt Lander  
Merritt Lander

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Merritt Lander, Attorney  
Legal Division

**FROM:** Patricia Garcia, Senior Engineering Specialist  
Infrastructure Division

**DATE:** May 10, 2021

**RE:** Docket No. 51999 – *Application of T&W Water Service Company and Belle Oaks Water and Sewer Co., Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Jefferson County*

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T&W Water Service Company (T&W Water) and Belle Oaks Water and Sewer Co., Inc. (Belle Oaks) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Jefferson County, Texas under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, T&W Water, certificate of convenience and necessity (CCN) No. 12892, seeks approval to acquire facilities and to transfer all of the water service area from Belle Oaks under water CCN No. 13067 and to acquire facilities and to transfer all of the sewer service area under sewer CCN No. 20965. T&W Water is requesting a new sewer CCN number. Belle Oaks' water and sewer CCNs will be cancelled as a result of the transaction.

The requested water service area includes approximately 450 acres, comprised of 450 acres of transferred area from CCN No. 13067.

The requested sewer service area includes approximately 445 acres, comprised of 445 acres of transferred area from CCN No. 20965.

Based on the mapping review by Gary Horton, 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:

### **Application Content:**

The following deficiencies must be remedied:

1. Provide a copy of the "Certification of Account Status" for T&W Water.
2. Provide a copy of T&W Water's organization chart.
3. Provide a copy of the last Texas Commission on Environmental Quality (TCEQ) inspections done at Belle Oaks' water and sewer systems.

4. Provide proof that a transfer request for the wastewater permit has been submitted to the TCEQ.