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Received - 2021-10-08 04:00:51 PM

Control Number - 52012

ItemNumber - 29

DOCKET NO. 52012

**APPLICATION OF BRAZOS VALLEY §
SEPTIC & WATER, INC. AND CSWR- §
TEXAS UTILITY OPERATING §
COMPANY, LLC FOR SALE, TRANSFER §
OR MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN ROBERTSON §
COUNTY §** **BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

**CSWR-TEXAS UTILITY OPERATING COMPANY, LLC'S
MOTION TO WITHDRAW APPLICATION WITHOUT PREJUDICE**

I. Background


On April 9, 2021, CSWR- Texas Utility Operating Company, LLC (“CSWR Texas”) filed an application for sale and transfer of Brazos Valley Septic and Water, Inc.’s (“Brazos Valley”) water facilities and water service area under certificate of convenience and necessity (“CCN”) number 13094 to CSWR-Texas Utility Operating Company, LLC (“CSWR Texas”) under CCN number 13290 (“Application”).

II. Termination of STM Agreement and Motion to Withdraw

CSWR Texas and Brazos Valley have executed a Termination Notice, which is attached as Exhibit A. Pursuant to 16 Tex. Admin. Code § 22.181(g), CSWR Texas files this motion to withdraw its Application. Because Brazos Valley and CSWR Texas have terminated their sales agreement, the Application is now moot. Additionally, CSWR Texas has not presented its direct case, and is therefore entitled to withdraw its Application pursuant to the rule. Therefore, CSWR Texas respectfully requests that its Motion to Withdraw Without Prejudice be granted.

Respectfully submitted,

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**ATTORNEYS FOR CSWR-TEXAS
UTILITY OPERATING COMPANY,
LLC**

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of October 2021, a true and correct copy of the foregoing document was served on all parties of record via electronic mail in accordance with the Order Suspending Rules issued in Project No. 50664.



Wendy K. L. Harvel

Termination Notice

Seller: Brazos Valley Septic & Water, Inc.

Buyer: Central States Water Resources, Inc.

Agreement for Sale of Utility System, dated October 4, 2020, by and between Seller and Buyer ("Agreement")

WHEREAS, Buyer has determined that its conditions to closing contained in the Agreement cannot be met;

WHEREAS, due to the aforementioned determination, the Buyer hereby elects to terminate the Agreement;

WHEREFORE, the parties agree as follows:

Effective as of September 30, 2021, the Agreement shall terminate, and the respective obligations of the Buyer and Sellers under the Agreement shall terminate and there shall be no continuing obligation that survives this Agreement.

The aforementioned recitals and/or provisions being the full agreement of the parties set forth herein, the parties hereby acknowledge their consent and agreement to the terms set forth above by executing below.

BUYER:

**CENTRAL STATES WATER
RESOURCES, INC.**

By: _____

Josiah M. Cox, President

SELLER:

**BRAZOS VALLEY SEPTIC & WATER,
INC.**

By: _____

Charles M. Rutledge, President