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DOCKET NO. 52089

APPLICATION OF ALPHA UTILITY § PUBLIC UTILITY COMMISSION
OF CAMP COUNTY, LLC AND CSWR- §
TEXAS OPERATING UTILITY § OF TEXAS
COMPANY FOR SALE, TRANSFER, §
OR MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN CAMP §
COUNTY §

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

On May 6, 2021, CSWR-Texas Operating Utility Company (CSWR) and Alpha Utility of Camp County, LLC (Alpha Utility) (collectively, the Applicants) filed an application for approval of the sale and transfer of facilities and certificate rights in Camp County. The Applicants seek approval for CSWR certificate of convenience and necessity (CCN) No. 13290, to acquire facilities and to transfer all of the water service area from Alpha Utility under water CCN No. 12696.

On May 7, 2021, the administrative law judge (ALJ) filed Order No. 1 establishing a deadline of June 6, 2021 for the Staff of the Public Utility Commission of Texas (Staff) to file comments on the administrative completeness of the application and proposed notice, along with a proposed procedural schedule for the further processing of this docket. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, recommends that the application is administratively incomplete at this time. Staff further recommends that the Applicants be ordered to cure the deficiencies identified in Ms. Mathis’ memorandum by July 6, 2021 and that Staff be given a deadline of August 6, 2021 to file a supplemental recommendation on the administrative completeness of the application.

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II. PROCEDURAL SCHEDULE

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation that the application be found administratively complete. Staff notes that the Applicants should not issue notice until the application is deemed sufficient.

III. CONCLUSION

Staff recommends that the application be found administratively incomplete and that the Applicants be ordered to file supplemental information to cure the deficiencies in the application by July 6, 2021. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: June 7, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Forrest Smith
Forrest Smith
State Bar No. 24093643
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7388
(512) 936-7268 (facsimile)
Forrest.Smith@puc.texas.gov

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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 June 7, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith

Public Utility Commission of Texas

Memorandum

TO: Forrest Smith, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: June 7, 2021

RE: Docket No. 52089 – *Application of Alpha Utility of Camp County, LLC and CSWR-Texas Operating Utility Company, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Camp County*

CSWR-Texas Operating Utility Company (CSWR) and Alpha Utility of Camp County, LLC (Alpha Utility) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Camp County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, CSWR, certificate of convenience and necessity (CCN) No. 13290, seeks approval to acquire facilities and to transfer all of the water service area from Alpha Utility under water CCN No. 12696.

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

Question 24.B. Provide details on each required major capital improvement necessary to correct deficiencies to meet the Texas Commission on Environmental Quality (TCEQ) or Commission standards (attach any engineering reports or TCEQ approval letters):

Please submit a copy of the TCEQ submittal letter for the construction of water facilities necessary to serve the requested area or the TCEQ letter(s) approving the same.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).