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APPLICATION OF AQUA WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION AND	§	
POLONIA WATER SUPPLY	§	OF TEXAS
CORPORATION FOR SALE,	§	
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN BASTROP AND	§	
CALDWELL COUNTIES		

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE

On June 24, 2021, Aqua Water Supply Corporation (Aqua WSC) and Polonia Water Supply Corporation (Polonia WSC) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Bastrop and Caldwell Counties. The applicants seek approval to sell and transfer all of Polonia WSC’s facilities and certificated service area under water Certificate of Convenience and Necessity (CCN) number 10420 to Aqua WSC’s water CCN number 10294, and the cancellation of Polonia WSC’s water CCN number. The requested area consists of a total of 38,892 acres and 3,189 customer connections. Applicants filed proof of notice on September 14, 2021.

On August 23, 2021, the administrative law judge filed Order No. 3, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice by September 30, 2021. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF NOTICE

Staff has reviewed the proof of notice filed by Applicants on September 14, 2021 and recommends that the notice be found sufficient. Applicants filed an affidavit attesting to the provision of notice to current customers, neighboring utilities, and affected parties. Applicants also filed a copy of the notice and maps, along with a list of persons and entities who received notice, consistent with Staff’s August 20, 2021 Recommendation on Administrative Completeness. Therefore, Staff recommends that Applicant’s notice be deemed sufficient.

II. PROCEDURAL SCHEDULE

Staff recommends that notice be found sufficient; therefore, Staff proposes the following procedural schedule:

Event	Date
Notice completed	September 13, 2021
Deadline to intervene	October 13, 2021 ¹
Deadline for Staff to request a hearing or file a recommendation on approval of the sale and on the CCN amendment	November 12, 2021
Deadline for parties to file a response to Staff's recommendation on approval of the sale	November 24, 2021
Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing transaction to proceed.	December 10, 2021
120-day deadline for the Commission to approve the sale or require a hearing	January 11, 2021 ²

III. CONCLUSION

For the reasons detailed above, Staff recommends that notice be found sufficient and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

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 26 and September 13, 2021. Therefore, 30 days after September 13, 2021 is October 13, 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 September 13, 2021 is January 11, 2022.

Dated: September 30, 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 via electronic mail on September 30, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore
Daniel Moore