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APPLICATION OF BASTROP WEST	§	PUBLIC UTILITY COMMISSION
WATER SUPPLY AND K & K WATER	§	
COMPANY FOR SALE, TRANSFER,	§	OF TEXAS
OR MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN BASTROP	§	
COUNTY	§	

COMMISSION STAFF’S RECOMMENDATION ON NOTICE

On July 14, 2021, Bastrop West Water Supply (Bastrop West) and K & K Water Company (K & K Water) (collectively, Applicants) filed an application for approval for the sale, transfer, or merger of facilities and certificate rights in Bastrop County. The Applicants seek approval to sell and transfer all of Bastrop West’s facilities and certificated service area under water Certificate of Convenience and Necessity (CCN) No. 12050 to K & K Water’s water CCN No. 11836. The requested area consists of approximately 289 acres and 117 customer connections. The Applicants filed supplemental information on July 27, 2021 and August 11, 2021 and October 25, 2021.

On January 10, 2022, the administrative law judge (ALJ) filed Order No. 6, establishing a deadline of February 17, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice. On February 17, 2022, Commission Staff filed a motion for an amended procedural schedule asking that the deadline for Commission Staff to file a recommendation on sufficiency of notice be extended to February 25, 2022.

I. RECOMMENDATION ON NOTICE

Commission Staff has reviewed the notice affidavit filed by the Applicants on February 2, 2022 and the supplemental information filed on February 17, 2022. Commission Staff recommends that the Applicants’ proof of notice should be deemed sufficient. Notice was mailed to current customers, neighboring utilities, and affected parties on February 1, 2022 and February 17, 2022, which included the parties listed in Commission Staff’s recommendation on administrative completeness filed on January 7, 2022. In addition, Commission Staff was able to verify that the notice provided included the map provided in the Applicants’ application and supplemental filings and otherwise meets the requirements of 16 Texas Administrative Code

(TAC) § 24.239(c). Therefore, Commission Staff recommends that the Applicants' notice meets the requirements of 16 TAC § 24.239(c).

II. PROCEDURAL SCHEDULE

Commission Staff recommends the notice be found sufficient. Staff therefore proposes the following procedural schedule:

Event	Date
Notice completed	February 17, 2022
Deadline for intervention	March 21, 2022 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	May 2, 2022
Deadline for Parties to file a response to Staff's recommendation. If no response is desired, deadline for the Parties and Commission Staff to file a joint proposed order.	May 16, 2022
120-day deadline for the Commission to approve the sale or require a hearing	June 17, 2022 ²

III. CONCLUSION

Commission Staff respectfully requests the entry of an order finding the Applicants' notice sufficient and adopting the above proposed procedural schedule.

¹ Under 16 TAC § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was completed on February 17, 2022. Therefore, 30 days after February 17, 2022 is March 19, 2022. The Commission is closed for business on Saturday, March 19, 2022. Therefore, the deadline for intervention should be March 21, 2022.

² Under 16 TAC § 24.239 (a) and (j), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after February 17, 2022 is June 17, 2022.

Dated: February 25, 2022

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 February 25, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks
Kourtnee Jinks