



## Filing Receipt

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**DOCKET NO. 52324**

<b>APPLICATION OF SOUTHWEST ENVIRONMENTAL RESOURCES AND MANVEL TERRACE UTILITIES, INC. FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN FORT BEND COUNTY</b>	<b>§ § § § § §</b>	<b>PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**COMMISSION STAFF’S SUPPLEMENTAL RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS AND NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

On July 14, 2021, Manvel Terrace Utilities, Inc. (Manvel Terrace) and the Southwest Environmental Resources (Southwest) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Fort Bend County. Specifically, Manvel Terrace seeks approval to acquire facilities and to transfer water service area held under Southwest’s Certificate of Convenience and Necessity (CCN) No. 11648. Applicants filed supplemental information on August 3, 2021, August 13, September 21, 2021, September 22, 2021, and October 12, 2021.

On October 15, 2021, the administrative law judge (ALJ) filed Order No. 3, establishing a deadline of November 15, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file supplemental comments on the administrative completeness of the application and proposed notice and to propose a procedural schedule for the further processing of this docket. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application and supplemental information, and, as detailed in the attached memoranda from Patricia Garcia, Infrastructure Division, Fred Bednarski and Kathryn Eiland, Rate Regulation Division, recommends that the ALJ find that the application administratively complete. Staff’s recommendation on administrative completeness is not a comment on the merits of the application.

## **II. NOTICE**

At this time, Staff recommends that the Applicants proceed with providing public notice to all current customers, neighboring utilities, political subdivisions, and other persons listed in the attached memorandum using the notice form provided by Ms. Garcia. Along with each individual notice, Staff recommends that the Applicants provide an accurate map delineating the requested service area.

Once notice has been provided, Staff recommends that the Applicants file proof of notice as described in the attached memorandum, including an affidavit specifying the name and address of every person and entity to whom notice was provided, the date that the notice was provided, and a copy of the map provided with the notice. Finally, Staff recommends that the Applicants use the attached notice and affidavit to meet these requirements.

## **III. PROCEDURAL SCHEDULE**

Staff recommends that the application be found administratively complete. Therefore, Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for the Applicants to file with the Commission signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties	December 15, 2021
Deadline for Staff to file a recommendation on sufficiency of notice	December 28, 2021
Deadline to intervene	30 days after notice is issued

## **IV. CONCLUSION**

For the reasons detailed above, Staff recommends that the application be found administratively complete, that the Applicants be directed to provide notice as described in the attached memorandum, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: November 15, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

/s/Mildred Anaele  
Mildred Anaele  
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**DOCKET NO. 52324**

**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 November 15, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Mildred Anaele  
Mildred Anaele

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Mildred Anaele, Attorney  
Legal Division

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

**DATE:** November 15, 2021

**RE:** Docket No. 52324 – *Application of Southwest Environmental Resources and Manvel Terrace Utilities, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Fort Bend County*

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On July 14, 2021, Manvel Terrace Utilities, Inc. (Manvel Terrace) and the Southwest Environmental Resources (Southwest) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Fort Bend County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, Manvel Terrace, certificate of convenience and necessity (CCN) No. 12080, seeks approval to acquire facilities and to transfer all of the water service area from Southwest under water CCN No. 11648.

The requested area includes 167 current customers and approximately 83 acres of transferred area from Southwest Environmental Resources, CCN No. 11648, to Manvel Terrace Utilities, Inc., CCN No. 12080.

The application proposes the subtraction of approximately 83 acres from CCN No. 11648. The application proposes the addition of approximately 83 acres to CCN No. 12080.

The application indicates that the total acreage being requested is 83.9 acres. Based on the mapping review by Tracy Montes, Infrastructure Division, it was determined the requested area is approximately 83 acres.

Based on the mapping review by Tracy Montes, Infrastructure Division, maps submitted on October 12, 2021 are sufficient. Based on my technical and managerial review of the additional information filed on August 3, 2021 and September 21, 2021, I recommend that the application be deemed administratively complete. I further recommend that the Applicants be ordered to do the following:

- 1) Provide notice of the application by first-class mail to the following:

- a. Cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area:
  - *City of Rosenberg (CCN No. 10713)*
  - *Village of Pleak*
  - *Brazos River Authority*
  - *Fort Bend County Drainage District*
  - *Fort Bend County Municipal Utility District (MUD) 5*
  - *Fort Bend County MUD 147*
  - *Fort Bend County MUD 148*
  - *Fort Bend County MUD 157*
  - *Fort Bend County MUD 162*
  - *Fort Bend County MUD 233*
  - *West Fort Bend Management District*
- b. The county judge of each county that is wholly or partially included in the requested area:
  - *Fort Bend County Judge*
- c. Each groundwater conservation district that is wholly or partially included in the requested area:
  - *Fort Bend Subsidence District*
- d. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained from the Water Utility Database at <http://www.puc.texas.gov/watersearch>. District information and addresses can be obtained from the Texas Commission on Environmental Quality's (TCEQ) web site located at <https://www14.tceq.texas.gov/iwud/index.cfm>.

- 2) Provide notice using the attached notice form(s).
- 3) Provide a copy of the map(s) deemed sufficient during administrative review delineating the requested area with each individual notice to neighboring utilities, other affected parties, and customers.
- 4) File in the docket copy of notice and the map(s) deemed sufficient during administrative review along with the signed affidavit specifying every person and entity to whom notice was provided, and the date that the notice was provided.

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Mildred Anaele, Attorney  
Legal Division

**FROM:** Fred Bednarski III, Financial Analyst  
Kathryn Eiland, Financial Analyst  
Rate Regulation Division

**DATE:** November 15, 2021

**RE:** Docket No. 52324 – *Application of Southwest Environmental Resources and Manvel Terrace Utilities, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Fort Bend County*

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On July 14, 2021, Manvel Terrace Utilities, Inc. and the Southwest Environmental Resources filed an application for the sale and transfer of facilities and certificate rights in Fort Bend County under the provisions of Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.239.

We reviewed the application answers and supplemental documents provided to questions 4, 10, 11, 12, and 14 of the application. We did not identify any deficiencies in those answers for purposes of determining whether the application is administratively complete. Therefore, we recommend that the Commission deem the application administratively complete from a financial perspective.





*requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.*

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

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Utility Representative

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Utility Name

# PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND  
AFFECTED PARTIES  
DOCKET NO. 52324

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual  
notice to the following entities and customers:

DATE OF NOTICE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is,  
owner, member of partnership, title of officer of corporation, or other authorized representative of  
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am  
personally familiar with the notices given with this application, and have complied with all notice  
requirements in the application and application acceptance letter; and that all such statements made  
and matters set for therein are true and correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,  
or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_

Notice Form Updated: April 8, 2021