



## Filing Receipt

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<b>APPLICATION OF R &amp; N</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>ENTERPRISES AND MONARCH</b>	<b>§</b>	
<b>UTILITIES I L.P. FOR SALE,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TRANSFER, OR MERGER OF</b>	<b>§</b>	
<b>FACILITIES AND CERTIFICATE</b>	<b>§</b>	
<b>RIGHTS IN COOKE COUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S RECOMMENDATION ON NOTICE**

On September 1, 2021, Karen Reeves dba R & N Enterprises (R & N) and Monarch Utilities I L.P. (Monarch) (collectively, the Applicants) filed an application for approval of the sale, transfer, or merger (STM) of facilities and certificate rights in Cooke County. Specifically, Monarch, certificate of convenience and necessity (CCN) No. 12983, seeks approval to acquire facilities and to transfer all of the water service area from R&N held under water certificate of convenience and necessity (CCN) No. 11644.

On November 3, 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 December 2, 2021. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON NOTICE**

Staff has reviewed the notice affidavit filed by the Applicants on November 5, 2021 and the supplemental information filed on November 15, 2021. 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 November 5, 2021, which included the parties listed in Commission Staff’s recommendation on administrative completeness filed on October 1, 2021. In addition, Commission Staff was able to verify that the notice provided meets the requirements of 16 Texas Administrative Code (TAC) § 24.239(c) with the example of the map and notice mailed to the individuals listed in the Applicants’ proof of notice provided in the Applicants’ supplemental filing. Therefore, the Applicants’ notice substantially 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:

<b>Event</b>	<b>Date</b>
Notice completed	November 5, 2021
Deadline for intervention	December 6, 2021 <sup>1</sup>
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	January 17, 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.	February 12, 2022
120-day deadline for the Commission to approve the sale or require a hearing	March 5, 2022 <sup>2</sup>

## III. CONCLUSION

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

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<sup>1</sup> Under 16 TAC § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed to the last party on November 5, 2021. Therefore, 30 days after November 5, 2021 is December 5, 2021. The Commission is closed for business on December 5, 2021. Therefore, the deadline for intervention should be December 6, 2021.

<sup>2</sup> 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 November 5, 2021 is March 5, 2022, which Commission Staff would like to note is a Saturday.

Dated: December 2, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

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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 December 2, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks  
Kourtnee Jinks