



## Filing Receipt

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<b>APPLICATION OF AUS-TEX PARTS &amp; SERVICES, LTD. AND RAILYARD UTILITY COMPANY LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN HAYS COUNTY</b>	<b>§ § § § § §</b>	<b>PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**ORDER NO. 8  
REQUIRING CLARIFICATION**

On March 4, 2022, Commission Staff filed its recommendation on the transaction. The administrative law judge (ALJ) is concerned over the record of evidence concerning Railyard Utility Company, LLC's managerial and technical capability to provide continuous and adequate service. Under Texas Water Code § 13.241 (a), the Commission must ensure that the applicant possesses the financial, managerial, and technical capability to provide continuous and adequate service. In its application filed on September 17, 2021, when asked to describe the transferee's experience and qualifications in providing continuous and adequate service, Aus-Tex Parts & Services, Ltd. and Railyard Utility list only that "BVRT Holding Company is the parent company of Railyard Utility Company, LLC and has experience providing continuous and adequate service." The applicants have provided no information on how Railyard Utility, the transferee, possesses the managerial and technical capability to provide continuous and adequate service, or what experience BVRT Holding Company has providing continuous and adequate service.

By April 25, 2022, Commission Staff must identify the statutes or rules authorizing Railyard Utility to rely on its parent company's experience to demonstrate adequate and technical capability and update its recommendation on the transaction regarding the applicant's capability to provide continuous and adequate service.

Signed at Austin, Texas the 11th day of April 2022.

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK  
ADMINISTRATIVE LAW JUDGE**