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| APPLICATION OF AUS-TEX PARTS & SERVICES, LTD. AND RAILYARD UTILITY COMPANY LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN HAYS COUNTY | § § § § § § | PUBLIC UTILITY COMMISSION OF TEXAS |
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COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF CLOSING DOCUMENTS

On September 17, 2021, Aus-Tex Parts & Services, Ltd. (Aus-Tex) and Railyard Utility Company LLC (Railyard Utility) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Hays County. Specifically, the Applicants are seeking approval of the sale and transfer of all facilities and service area under Aus-Tex's sewer Certificate of Convenience and Necessity (CCN) No. 20875 to Railyard Utility. Railyard Utility is seeking to retain Aus-Tex's sewer CCN No. 20875. The requested sewer service area consists of approximately 205.9 acres and 354 customer connections. The Applicants filed supplemental information on November 10, 2021, November 23, 2021, December 15, 2021, December 16, 2021, and February 23, 2022.

On April 26, 2022, the administrative law judge filed Order No. 11, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of closing documents within 15 days of the Applicants filing proof that the transaction has been consummated. Applicants filed proof that the transaction had been consummated on July 25, 2022. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents filed by the Applicants on July 25, 2022 and recommends that they be found sufficient. Based on its review, Staff has determined that the Applicants' filing meets the requirements of 16 TAC § 24.239(a) and (k)-(m). Therefore, Staff recommends that the closing documents be found sufficient. Further, there were no customer deposits for any customer that needed to be returned.

II. PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Applicants' closing documents be found sufficient, Staff proposes the following procedural schedule for continued processing of the docket:

| Event | Date |
|---|--------------------|
| Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent. | September 8, 2022 |
| Deadline for Applicants to file signed consent forms with the Commission. | September 22, 2022 |
| Deadline for parties to jointly file a proposed notice of Approval, including proposed findings of fact, conclusions of law, and ordering paragraphs. | October 6, 2022 |

III. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued finding that the closing documents filed by the Applicants are sufficient. Staff further requests that the procedural schedule proposed above be adopted for continued processing of this docket.

Dated: August 8, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

Robert Dakota Parish
Managing Attorney

/s/ Arnett D. Caviel
Arnett D. Caviel
State Bar No. 24121533
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7245
(512) 936-7268 (facsimile)
Arnett.Caviel@puc.texas.gov

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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 August 8, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Arnett D. Caviel
Arnett D. Caviel