



## Filing Receipt

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**DOCKET NO. 52628**

**APPLICATION OF TRITON TEXAS § PUBLIC UTILITY COMMISSION  
HOLDINGS LLC FOR APPROVAL OF §  
CHANGES IN OWNERSHIP UNDER § OF TEXAS  
TEXAS WATER CODE § 13.302 §**

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF THE  
CLOSING DOCUMENTS**

On September 22, 2021, Triton Texas Holdings LLC (TTH), along with The Kauffman Family Living Trust, dated April 9, 2015, Disciple Asset Holdings, LP, and Malakoff Family Holdings, LP (the Interest Holders) (collectively, the Applicants), filed an application for a change in ownership of Horseshoe Bend Water Company LLC (Horseshoe Bend) and Lone Star Water Company (Lone Star) under Texas Water Code (TWC) § 13.302 and 16 Texas Administrative Code (TAC) § 24.243. The application originally sought approval for a “two-step” transaction, under which Triton Utilities, Inc. (TUI) would transfer ownership interests in Horseshoe Bend and Lone Star to the Interest Holders in one transaction, who would then transfer ownership interests to TTH in a second transaction immediately after the first. On October 20, 2021, TTH filed an amended application specifying that the Interest Holders will no longer be parties to the proposed application. Instead, under the amended application, TUI would transfer ownership interests in Horseshoe Bend and Lone Star in a “one-step” transaction directly to TTH.

On December 23, 2021, the administrative law judge (ALJ) filed Order No. 7, establishing a deadline of January 20, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation regarding the sufficiency of the closing documents and propose a procedural schedule for further processing of the docket. Therefore, this pleading is timely filed.

**I. STAFF’S RECOMMENDATION**

Staff has reviewed TTH’s proof of closing and recommends that the closing documents satisfy the requirements under 16 Texas Administrative Code (TAC) § 24.243(i). Additionally, Staff reviewed the closing documents applying the requirements of TAC § 24.239(k)-(m). The documents were filed within 30 days of the December 27, 2021 effective date and were signed by representatives for both TTH and TUI. Additionally, the December 27, 2021 effective date of the

transaction falls within the required 180-day period following the date of the commission order allowing the transaction to proceed.<sup>1</sup> It is Staff's understanding that there are no customer deposits at issue in this proceeding. Therefore, Staff recommends that TTH's proof of closing be found sufficient.

## **II. PROPOSED PROCEDURAL SCHEDULE**

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

Events	Date
Deadline for Commission Staff to provide final certificates, as well as maps and tariffs (if applicable), to applicants for review and consent	February 4, 2022
Deadline for applicants to file signed consent forms with the Commission	February 11, 2022
Deadline for parties to jointly file Proposed Notice of Approval, including findings of fact, conclusions of law, and ordering paragraphs	February 18, 2022

## **III. CONCLUSION**

Staff recommends that the Applicants' closing documents be found sufficient and that the above proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendations.

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<sup>1</sup> 16 TAC § 24.239(m).

Dated: January 21, 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 January 21, 2022, in accordance with the Order Suspending Rules issued in Project No. 50664.

/s/ Forrest Smith  
Forrest Smith