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DOCKET NO. 52661

APPLICATION OF TRI-COUNTY	§	PUBLIC UTILITY COMMISSION
POINT PROPERTY OWNERS	§	
ASSOCIATION AND CSWR-TEXAS	§	OF TEXAS
UTILITY OPERATING COMPANY,	§	
LLC FOR SALE, TRANSFER, OR	§	
MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN JACKSON	§	
COUNTY	§	

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE

On September 30, 2021, CSWR-Texas Utility Operating Company, LLC (CSWR) and Tri-County Point Property Owners Association (Tri-County) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Jackson County. Specifically, CSWR, water Certificate of Convenience and Necessity (CCN) No. 13290 and sewer CCN No. 21120, seeks approval to acquire facilities and to transfer all of the water and sewer service area from Tri-County under water CCN No. 11786 and sewer CCN No. 20616. The Applicants filed supplemental information on October 1, 2021, October 14, 2021, October 15, 2021, November 11, 2021, January 12, 2022, and January 27, 2022.

On January 12, 2022, the administrative law judge (ALJ) filed Order No. 3, establishing a deadline of February 10, 2022, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of notice. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF NOTICE

Staff has reviewed the proof of notice submitted by the Applicants and recommends that it be found sufficient under 16 Texas Administrative Code (TAC) § 24.239(c). On January 31, 2022, the Applicants filed the affidavit of Aaron Silas, Regulatory Case Manager for CSWR, attesting that notice was mailed to the persons and entities identified in Staff’s supplemental recommendation, filed on December 29, 2021, using the notices provided by Staff and the maps deemed sufficient by Staff. Therefore, Staff recommends that the notice provided is sufficient.

II. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for the continued processing of this application:

Event	Date
Notice Completed	January 31, 2022
Deadline to intervene	March 2, 2022 ¹
Deadline for Staff to request a hearing or file a recommendation on approval of the sale	April 14, 2022
Deadline for parties to file a response to Staff's recommendation on approval of the sale	May 2, 2022
Deadline for parties to file a joint motion to admit evidence and proposed order approving the sale and allowing the transaction to proceed	May 16, 2022
120-day deadline for the Commission to approve the sale or require a hearing	May 31, 2022 ²

III. CONCLUSION

For the reasons detailed above, Staff respectfully requests that Applicants' notice be found sufficient and that the proposed procedural schedule be adopted for further processing of this docket.

¹ Under 16 TAC § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed on January 31, 2022. Therefore, 30 days after January 31, 2022, is March 2, 2022.

² Under 16 TAC § 24.239(a) and (i), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after January 31, 2022, is May 31, 2022.

Dated: February 10, 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 February 10, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Jenna Keller
Jenna Keller