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DOCKET NO. 52890

APPLICATION OF FLAT FORK	§	PUBLIC UTILITY COMMISSION
WATER SUPPLY CORPORATION AND	§	
CITY OF CENTER FOR SALE,	§	OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN SHELBY COUNTY	§	

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE**

On November 29, 2021, Flat Fork Water Supply Corporation (Flat Fork WSC) and City of Center (Center) (jointly, Applicants) filed an application for approval of the sale, transfer, or merger of facilities in Shelby County. Applicants seek to acquire facilities from Flat Fork WSC under water Certificate and Convenience No. 11711.

On January 28, 2022, the administrative law judge filed Order No. 4, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation regarding the administrative completeness of the application and propose a procedural schedule by February 23, 2022. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and, as detailed in the attached memoranda by Kathryn Eiland and Fred Bednarski of the Rate Regulation Division and Jolie Mathis of the Infrastructure Division, recommends that the application be found administratively complete. Staff's recommendation on administrative completeness is not a comment on the merits of the application.

II. NOTICE

In the application, the applicants indicate that Flat Fork WSC will transfer 39 meters to Center. The applicants further explain that the City already supplies water to these 39 customers under a previous agreement between the applicants. Since the application does not contemplate transferring customers or service areas and is intended to only transfer facilities, Staff recommends that notice is not required in this proceeding. Accordingly, Staff recommends that notice be waived in accordance with 16 TAC § 24.239(c).

III. PROCEDURAL SCHEDULE

Staff recommends that the application be found administratively complete; therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline to intervene	30 days after the application is found administratively complete

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively complete, that Applicants' notice requirements be waived, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: February 23, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
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Rustin Tawater
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/s/ Ian Groetsch
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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 23, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch

Public Utility Commission of Texas

Memorandum

TO: Ian Groetsch, Attorney
Legal Division

FROM: Kathryn Eiland, Financial Analyst
Fred Bednarski III, Financial Analyst
Rate Regulation Division

DATE: February 23, 2022

RE: Docket No. 52890 - *Application of Flat Fork Water Supply Corporation and City of Center for Sale, Transfer, or Merger of Facilities and Certificate Rights in Shelby County*

On November 29, 2021, Flat Fork Water Supply Corporation (Flat Fork WSC) and City of Center (Center) filed an application for the sale and transfer of facilities in Shelby County under the provisions of Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.239. On February 17, 2020, Center supplemented the application.

We reviewed the answers provided to questions 4, 10, 11, 12, and 14 of the application. We did not identify any deficiencies in those answers for purposes of determining whether the application is administratively complete. Therefore, we recommend that the Commission deem the application administratively complete from a financial perspective.

Public Utility Commission of Texas

Memorandum

TO: Ian Groetsch, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: February 23, 2022

RE: Docket No. 52890 – *Application of Flat Fork Water Supply Corporation and City of Center for Sale, Transfer, or Merger of Facilities and Certificate Rights in Shelby County*

City of Center (Center) and the Flat Fork Water Supply Corporation (Flat Fork WSC) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities in Shelby County, Texas, pursuant to Texas Water Code (TWC) and § 13.301 and 16 Texas Administrative Code (TAC) and § 24.239.

Specifically, Center, certificate of convenience and necessity (CCN) No. 10397, seeks approval to acquire and transfer facilities from Flat Fork WSC under water certificate of convenience and necessity (CCN) No. 11711. Neither Center nor Flat Fork WSC is seeking to amend their CCN.

Based on my technical and managerial review of the information, I recommend that the application be deemed administratively complete.

Staff may determine that additional information is needed to make a final recommendation in this docket. If additional information is needed, Staff may send requests for information (RFI) to Center and Flat Fork WSC. Center and Flat Fork WSC will have 20 days from the receipt of the RFI to respond.