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DOCKET NO. 52890

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

**COMMISSION STAFF’S SUPPLEMENTAL AMENDED RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND NOTICE AND PROPOSED
PROCEDURAL SCHEDULE**

On November 29, 2021, Flat Fork Water Supply Corporation (Flat Fork) 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 and customers from Flat Fork WSC under water Certificate and Convenience No. 11711.

On May 27, 2022, the administrative law judge filed Order No. 7, establishing a deadline of June 3, 2022, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental amended recommendation regarding administrative completeness of the application and notice, and file a proposed procedural schedule for continued processing. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

On February 23, 2022, Staff submitted its supplemental recommendation on administrative completeness of the application and recommended that the application be found complete from a managerial, technical, and financial perspective.¹ Staff reiterates its February 23, 2022 recommendation 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

At this time, Staff recommends that the Applicants proceed with providing public notice to all current customers using the attached notice form. Along with each individual notice, Staff recommends that the Applicants provide an accurate map delineating the requested service area.

¹ See Commission Staff’s Supplemental Recommendation on Administrative Completeness and Proposed Procedural Schedule (Feb. 23, 2022).

Once notice has been provided, Staff recommends that the Applicants file proof of notice as described in the attached memorandum, including an affidavit specifying the name and address of every person and entity to whom notice was provided, the date that the notice was provided, and a copy of the map provided with the notice. Finally, Staff recommends that the Applicants use the attached notice and affidavit to meet these requirements.

III. PROCEDURAL SCHEDULE

Staff recommends that the application be found administratively complete. Therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline for the Applicants to file with the Commission signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties	July 1, 2022
Deadline for Staff to file a recommendation on sufficiency of notice	July 15, 2022
Deadline to intervene	30 days after notice is issued

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively complete, that the Applicants be directed to provide notice using the attached notice form, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: June 3, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

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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 June 3, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch

Notice to Current Customers, Neighboring Systems, and Cities

City of Center, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 10397,
NOTICE OF INTENT TO PURCHASE AND TO TRANSFER WATER FACILITIES AND
CUSTOMERS UNDER CCN NO. 11711 FROM FLAT FORK WATER SUPPLY
CORPORATION IN SHELBY COUNTY, TEXAS

To: _____ Date Notice Mailed: _____, 20____
(Name of Customer, Neighboring System, or City)

(Address)

(City State Zip)

<u>City of Center</u>	<u>P.O. Box 1744</u>	<u>Center, TX</u>	<u>75935</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase and transfer a portion of the water facilities under CCN No. 11711, in Shelby County, TX from:

<u>Flat Fork Water Supply Corporation</u>	<u>P.O. Box 957</u>	<u>Center, TX</u>	<u>75935</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301).

This transaction will not have an effect on the current customer's rates and services.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

Utility Representative

Utility Name

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 52890

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

Notice Form Updated: March 31, 2022