



## Filing Receipt

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<b>APPLICATION OF SIMPLY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>AQUATICS, INC. AND CSWR-TEXAS</b>	<b>§</b>	
<b>UTILITY OPERATING COMPANY,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>LLC FOR SALE, TRANSFER, OR</b>	<b>§</b>	
<b>MERGER OF FACILITIES AND</b>	<b>§</b>	
<b>CERTIFICATE RIGHTS IN</b>	<b>§</b>	
<b>MONTGOMERY, SABINE, AND SAN</b>	<b>§</b>	
<b>AUGUSTINE COUNTIES</b>	<b>§</b>	

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

On February 17, 2022, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and Simply Aquatics, Inc. (Simply Aquatics) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in Montgomery, Sabine, and San Augustine Counties. Specifically, the applicants seek approval to sell and transfer all of Simply Aquatics's certificated area under CCN No. 13259 to CSWR--Texas under CCN No. 13290. The Applicants filed supplemental information on February 25, 2022.

On March 23, 2022, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of May 16, 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. RECOMMENDATION ON NOTICE**

The ALJ filed Order No. 2, directing the Applicants to provide notice of the application as described in the March 21, 2022 memorandum of Patricia Garcia, using the included forms. On April 19, 2022, Applicants filed proof of notice that includes an affidavit of Aaron Silas, an ownership member, indicating that notice was provided to all current customers, neighboring utilities, and affected parties via mail on April 13, 2022. Staff has reviewed the proof of notice filed by the Applicants and recommends that the notice and maps provided be found insufficient. Per Order No. 2, CSWR-Texas was to provide notice using the attached notice forms in Ms. Garcia’s memorandum. Nevertheless, CSWR-Texas changed Ms. Garcia’s language for all of the requested areas in its notice. Therefore, Staff recommends that notice be found insufficient.

## II. PROCEDURAL SCHEDULE

Staff recommends that the notice be found insufficient, and therefore CSWR-Texas be given until June 16, 2022 to provide sufficient notice. At that time, Staff will propose a new procedural schedule.

## III. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that the notice provided by the Applicants be found insufficient and that CSWR-Texas be given until June 16, 2022 to provide sufficient notice.

Dated: May 16, 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 May 16, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

*/s/ Phillip Lehmann*  
Phillip Lehmann