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DOCKET NO. 53483

APPLICATION OF CSWR-TEXAS	§	PUBLIC UTILITY COMMISSION
UTILITY OPERATING COMPANY,	§	
LLC AND NORTH ORANGE WATER &	§	OF
SEWER, LLC FOR SALE, TRANSFER,	§	
OR MERGER OF FACILITIES AND	§	TEXAS
CERTIFICATE RIGHTS IN ORANGE	§	
COUNTY	§	

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF THE CLOSING DOCUMENTS

On April 12, 2022, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and North Orange Water & Sewer, LLC (North Orange) (collectively, Applicants) filed an application for approval of the sale and transfer of facilities and certificate rights in Orange County, Texas. The Applicants seek approval for CSWR-Texas, water Certificate of Convenience and Necessity (CCN) No. 13290 and sewer CCN No. 21120, to acquire facilities and to transfer all of the water service area from North Orange under water CCN Nos. 11511 and 11642 and sewer CCN Nos. 20548 and 20564.

On October 4, 2022, the administrative law judge (ALJ) filed Order No. 5, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation regarding sufficiency of the closing documents and propose a procedural schedule within 15 days following the filing of the Applicants’ proof that the transaction has been completed and customer deposits, if any, have been addressed. Applicants filed proof that the transaction has been completed on November 17, 2022, and 15 days after November 17, 2022, is by December 2, 2022. Therefore, this pleading is timely filed.

I. STAFF’S RECOMMENDATION

Staff has reviewed the Applicants’ proof of closing and recommends that the closing documents satisfy the requirements under 16 Texas Administrative Code (TAC) § 24.239(l). Specifically, the closing documents include a proper bill of sale that is signed by both Applicants. Staff notes that there are no customer deposits to be addressed as required by 16 TAC § 24.239(k). Therefore, Staff recommends that the Applicants’ proof of closing be found sufficient.

II. PROPOSED PROCEDURAL SCHEDULE

Staff recommends that the Applicants' closing documents be found sufficient. Therefore, Staff proposes the following procedural schedule for continued processing of this docket:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent	December 19, 2022
Deadline for Applicants to file signed consent forms with the Commission	January 3, 2023
Deadline for parties to file joint proposed findings of fact and conclusions of law	January 13, 2023

III. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued allowing the proposed transaction to proceed.

Dated: December 2, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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DOCKET NO. 53483

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 December 2, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith