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DOCKET NO. 53721

APPLICATION OF CSWR-TEXAS	§	PUBLIC UTILITY COMMISSION
UTILITY OPERATING COMPANY,	§	
LLC AND PATTERSON WATER	§	OF TEXAS
SUPPLY, LLC FOR SALE, TRANSFER,	§	
OR MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN DALLAS,	§	
DENTON, PARKER, TARRANT, AND	§	
WISE COUNTIES	§	

**ORDER NO. 6
REQUIRING CLARIFICATION AND ESTABLISHING DEADLINES**

This Order addresses the June 15, 2022 application for approval of the sale, transfer, or merger of facilities and certificate rights in Dallas, Denton, Parker, Tarrant, and Wise counties filed by CSWR-Texas Utility Operating Company, LLC and Patterson Water Supply LLC. The administrative law judge (ALJ) requires clarification on two issues to continue processing the application.

First, the ALJ requires clarification as to whether Patterson Water is requesting to cancel its sewer certificate of convenience and necessity (CCN). The application indicates that Patterson Water intends to sell and transfer all of its sewer service area and facilities but does not indicate whether Patterson Water seeks to cancel its sewer CCN.

Second, the ALJ requires clarification as to whether the financial information provided by CSWR-Texas complies with the requirements of 16 Texas Administrative Code (TAC) § 24.11(e)(5). The Commission recently addressed the requirements of 16 TAC § 24.11(e)(5), among other issues, in Docket No. 52391.¹ CSWR-Texas and Patterson Water must ensure that the application materials contain the information and materials discussed by the Commission the order remanding the proceeding to Docket Management in Docket No. 52391 and required by 16 TAC § 24.11(e)(5). Additionally, CSWR-Texas must provide any loan approval documentation it possesses, as contemplated under 16 TAC § 24.11(e)(5)(A). Further, Commission Staff must, and the applicants may, provide answers to the following questions:

¹ *Application of Liberty County Utilities, LLC for Water and Sewer Certificates of Convenience and Necessity in Liberty County*, Docket No. 52391, Order Remanding Proceeding to Docket Management (Oct. 20, 2022).

1. Can applicants in a sale, transfer, or merger application use firm capital commitments to satisfy the requirements of 16 TAC § 24.11(e)(5) when 16 TAC § 24.11(e)(5)(A) appears to require loan approval documentation; and
2. Does the confidential information submitted by the applicants in attachment G satisfy the requirements of 16 TAC § 24.11(e)(5).

The parties must provide the required clarifications and information by December 19, 2022.

Signed at Austin, Texas the 5th day of December 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE