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APPLICATION OF TEXAS WATER UTILITIES, L.P. AND CREEK WATER UTILITY LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS MARION COUNTY §
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PUBLIC UTILITY COMMISSION

OF TEXAS

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE

I. INTRODUCTION

On August 1, 2022, Monarch Utilities I L.P. (Monarch) and the Creek Water Utility, LLC (Creek Water) (collectively Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Marion County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239. On November 28, 2022, the administrative law judge (ALJ) issued Order No. 6, recognizing that Monarch has changed its name to Texas Water Utilities, L.P. (Texas Water) on November 15, 2022 and restyling the application accordingly.

On November 3, 2022, the administrative law judge filed Order No. 5, establishing a deadline of December 27, 2022, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice.¹ Therefore, this pleading is timely filed.

II. RECOMMENDATION ON NOTICE

Staff has reviewed the proof of notice provided by Texas Water and recommends that notice is sufficient. Specifically, Texas Water provided an affidavit of notice dated November 21, 2022, and signed by George Freitag, Texas Water’s Texas Regulatory Manager, that notice was provided on November 18, 2022, to its current customers, neighboring utilities, and affected parties, as well as the maps that were attached to the provided notice. Therefore, Staff recommends

¹ Under 16 TAC § 22.4(a), if the Commission is not open for business on the date of the deadline, the deadline moves until the end of the next day on which the Commission is open for business. Tuesday, December 27, 2022, was an Agency holiday, so the Commission was not open for business. Therefore, the deadline for Staff to file a recommendation on sufficiency of notice moved to the next day, Wednesday, December 28, 2022.

that the notice provided by Texas Water be deemed sufficient for the further processing of this matter.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the notice provided by Texas Water be found to be sufficient for the further processing of this matter.

Dated: December 28, 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 December 28, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch