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DOCKET NO. 53920

APPLICATION OF TEXAS WATER UTILITIES, LP 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 NOTICE AND PROPOSED PROCEDURAL SCHEDULE

I. INTRODUCTION

On August 1, 2022, Texas Water Utilities, LP (Texas Water) (formerly, Monarch Utilities I L.P.) 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 December 29, 2022, the administrative law judge filed Order No. 7, instructing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a proposed procedural schedule for continued processing of this docket by January 9, 2022. Therefore, this pleading is timely filed.

II. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice is complete	November 18, 2022
Deadline to intervene	December 19, 2022 ¹
Deadline for Staff to request a hearing or file a recommendation on approval of the sale and the CCN amendment	January 18, 2023
Deadline for parties to file a response to Staff’s recommendation on approval of the sale	February 1, 2023

¹ Under 16 Texas Administrative Code (TAC) § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed on November 18, 2022, and thirty days after November 18, 2022, is December 18, 2022. Under 16 TAC § 22.4(a), if a deadline falls on a day the Commission is closed, the deadline is moved to the next day the Commission is open. As December 18, 2022 is a Sunday, the next day the Commission is open is Monday, December 19, 2022.

Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing transaction to proceed.	February 15, 2023
120-day deadline for the Commission to approve the sale or require a hearing	April 18, 2023 ²

III. CONCLUSION

For the reasons detailed above, Staff recommends that the Applicants be directed to provide notice as described in the attached memorandum and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: January 9, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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² Under 16 TAC § 24.239(a) and (i), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after December 19, 2022, is April 18, 2023.

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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 January 9, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch