



## **Filing Receipt**

**Filing Date - 2023-07-11 02:42:42 PM**

**Control Number - 53920**

**Item Number - 70**

**DOCKET NO. 53920**

<b>APPLICATION OF TEXAS WATER UTILITIES, L.P. AND CREEK WATER UTILITY LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS MARION COUNTY</b>	<b>§ § § § § §</b>	<b>PUBLIC UTILITY COMMISSION      OF TEXAS</b>
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**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF CLOSING DOCUMENTS**

**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 § 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. on November 15, 2022, and restyling the application accordingly.

On June 20, 2023, the ALJ filed Order No. 23, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of the closing documentation and customer deposit information by July 11, 2023. Therefore, this pleading is timely filed.

**II. SUFFICIENCY OF CLOSING DOCUMENTS**

Staff has reviewed the documentation regarding customer deposits filed by Applicants on June 23, 2023, and recommends that Applicants have not met the requirements of 16 TAC § 24.239. Specifically, Applicants did not provide the addresses of the four customers with outstanding deposits, as required by 16 TAC § 24.239(k)(1). It is also unclear whether there is any unpaid interest on the deposit amounts described in Applicants' filing, as required by 16 TAC § 24.239(k)(4). Staff accordingly recommends that Applicants' customer deposit information be found insufficient. Staff further recommends that the Applicants be ordered to cure these deficiencies by July 19, 2023, and that Staff be given a deadline of July 26, 2023, to file a supplemental recommendation on the sufficiency of closing documentation and customer deposit information.

### III. CONCLUSION

For the reasons detailed above, Staff recommends that the customer deposit information submitted by Applicants be found insufficient, that the Applicants be ordered to cure these deficiencies by July 19, 2023, and that Staff be given a deadline of July 26, 2023, to file a supplemental recommendation on the sufficiency of closing documentation and customer deposit information.

Dated: July 11, 2023

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 July 11, 2023, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Ian Groetsch  
Ian Groetsch