



Control Number: 54153



Item Number: 31

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PUBLIC UTILITY COMMISSION
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OPEN MEETING COVER SHEET

COMMISSIONER MEMORANDUM

MEETING DATE: August 24, 2023

DATE DELIVERED: August 23, 2023

AGENDA ITEM NO.: 4


CAPTION: Docket No. 54153 – *Application of Oak Bend Homeowners' Water Supply Corporation for Authority to Change Rates*

DESCRIPTION: Memorandum of Commissioner Glotfelty

Public Utility Commission of Texas

Commissioner Memorandum

TO: Interim Chair Kathleen Jackson
Commissioner Will McAdams
Commissioner Lori Cobos

FROM: Commissioner Jimmy Glotfelty 

DATE: August 23, 2023

RE: August 24, 2023 Open Meeting – Item No. 4
Docket No. 54153 – *Application of Oak Bend Homeowners' Water Supply Corporation for Authority to Change Rates.*

A proposed order in the above-referenced docket is posted for consideration and action by the Commission. If the Commission approves the proposed order, I recommend changes to the order to update the name of the utility in the Commission's records.

The application in this proceeding was filed by Oak Bend Homeowner's Water Supply Corporation.¹ The proposed tariff identifies the same name for the utility.² However, the Commission Counsel's memo filed on August 18, 2023, proposes changes to findings of fact 1 and 3 to clarify that it is Oak Bend Property Owners Association that holds CCN number 11633 and that Oak Bend Homeowner's Water Supply Corporation is a Texas non-profit corporation registered with the Texas secretary of state.³

Therefore, there are some discrepancies regarding the name of the utility that holds CCN number 11633. If the Commission approves the proposed order as it is filed, it will approve a tariff for Oak Bend Homeowners' Water Supply Corporation and that does not appear to align with the Commission's CCN records that identify Oak Bend Property Owners Association as the name of the utility that holds water CCN number 11633.⁴

The Commission's rules do not provide for a streamlined method of updating the name of a utility. To update the Commission's records to align with how the utility is currently registered with the Texas secretary of state, I propose changes to the ordering paragraphs to update the name of the utility in the Commission's CCN records.

¹ Application at 1 (Sep. 27, 2022).

² Joint Motion to Admit Additional Evidence and Proposed Notice of Approval at 10-24 (Jun. 16, 2023).

³ Commission Counsel Memo (Aug. 18, 2023).

⁴ *Application of Oak Bend, Inc. for Transfer of Facilities to Oak Bend Property Owners Association within Denton County*, Docket No. 4139, Order (Mar. 11, 1983); Note: This order is attached to this memorandum because it is no longer available on the Commission's interchange filer on the PUC website.

A new ordering paragraph should be inserted after ordering paragraph 1 to direct Commission Staff to update the Commission's records to reflect that Oak Bend Homeowners' Water Supply Corporation holds CCN number 11633.

XX. The Commission directs that the Commission records be updated to be modified to identify Oak Bend Homeowner's Water Supply Corporation as the name of the utility that holds CCN number 11633.

A new ordering paragraph should be inserted after ordering paragraph 3 to ensure that the Commission's records are updated.

XX. Within fourteen days of the date this Order is filed, Commission Staff must provide the Commission with a clean copy of the certificate for CCN number 11633 that complies with this Order, to be retained by Central Records.

I look forward to discussing this matter with you at the open meeting.

W Office 365

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APPLICATION OF OAK BEND, INC. FOR
TRANSFER OF FACILITIES TO OAK
BEND PROPERTY OWNERS ASSOCIATION
WITHIN DENTON COUNTY

PUBLIC UTILITY COMMISSION
OF TEXAS

ORDER

In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas finds that the above styled application was processed in accordance with applicable statutes by an examiner who prepared and filed a report containing Findings of Fact and Conclusions of Law, which Examiner's Report is adopted and made a part hereof. The Commission further issues the following Order:

1. Oak Bend, Inc.'s application for Commission approval of its transfer of facilities to the Oak Bend Property Owners Association is hereby APPROVED.
2. Certificate of Convenience and Necessity No. 11633 now belonging to Oak Bend, Inc., is hereby TRANSFERRED to the Oak Bend Property Owners Association.
3. The following journal entry shall be recorded on the Oak Bend Property Owners Association's books:

Utility Plant in Service	\$64,684.77
Cash	1,741.73
Contribution in Aid of Construction	\$66,426.50

SIGNED AT AUSTIN, TEXAS, on this the 11 day of March, 1983.

PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED: H. Moak Rollins
H. MOAK ROLLINS

SIGNED: Alan R. Erwin
ALAN R. ERWIN

SIGNED: Peggy Rosson
PEGGY ROSSON

ATTEST:

Carolyn E. Shellman
CAROLYN E. SHELLMAN
SECRETARY OF THE COMMISSION

APPLICATIONS OF IOLA WATER COMPANY ET
AL., FOR CERTIFICATES OF CONVENIENCE
AND NECESSITY WITHIN GRIMES, HUNT,
AND DENTON COUNTIES

PUBLIC UTILITY COMMISSION
OF TEXAS

ORDER

In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas finds that the above-referenced application was processed in accordance with applicable statutes by an Examiner who prepared and filed a report containing Findings of Fact and Conclusions of Law, which Examiner's Report is adopted and made a part hereof. The Commission further issues the following Order:

1. Iola Water Company is granted a Certificate of Convenience and Necessity for water utility service as requested in Docket No. 3535 and described in Finding of Fact No. 1. Iola Water Company is hereby assigned Certificate No. 11631.
2. Nob Hill Water is granted a Certificate of Convenience and Necessity for water utility service as requested in Docket No. 3633 and described in Finding of Fact No. 2. Nob Hill Water is hereby assigned Certificate No. 11632.
3. Oak Bend, Inc. is granted a Certificate of Convenience and Necessity for water utility service as requested in Docket No. 3671 and described in Finding of Fact No. 3. Oak Bend, Inc. and City of Denton (Certificate No. 10195) are now dually certificated to this area. Oak Bend is hereby assigned Certificate No. 11633.

RENDERED AT AUSTIN, TEXAS, on the 25th day of FEBRUARY, 1981.

PUBLIC UTILITY COMMISSION OF TEXAS


SIGNED:


GEORGE M. COWDEN

SIGNED:


GARRETT MORRIS

SIGNED:


H. MOAK ROLLINS

ATTEST:


PHILIP F. RICKETTS
SECRETARY OF THE COMMISSION