



## **Filing Receipt**

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**Control Number - 54174**

**Item Number - 35**

**DOCKET NO. 54174**

<b>APPLICATION OF 84 WEST WATER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SUPPLY CORPORATION AND CITY</b>	<b>§</b>	
<b>OF MEXIA FOR SALE, TRANSFER, OR</b>	<b>§</b>	<b>OF</b>
<b>MERGER OF FACILITIES AND</b>	<b>§</b>	
<b>CERTIFICATE RIGHTS IN</b>	<b>§</b>	<b>TEXAS</b>
<b>LIMESTONE COUNTY</b>	<b>§</b>	

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF  
SUPPLEMENTAL NOTICE**

On September 30, 2022, City of Mexia (Mexia) and 84 West Water Supply Corporation (84 West WSC) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Limestone County. The Applicants filed supplemental information on October 11, 2022, October 26, 2022, and January 10, 2023.

On July 14, 2023, the administrative law judge (ALJ) filed Order No. 10, establishing a deadline of July 27, 2023, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of the supplemental notice. Therefore, this pleading is timely filed.

**I. SUFFICIENCY OF NOTICE**

Staff has reviewed the proof of notice provided by Applicants and, as detailed in a memorandum from Jolie Mathis, Infrastructure Division, recommends that notice is deficient. Staff further recommends that Applicants be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by August 10, 2023, and that Staff be given a deadline of August 24, 2023 to file a supplemental recommendation on the sufficiency of notice.

**II. CONCLUSION**

For the reasons detailed above, Staff recommends that the supplemental notice be found deficient.

Dated: July 27, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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/s/ Bradley Reynolds  
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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 27, 2023, in accordance with the Second Order Suspending Rules filed in Project No. 50664.

/s/ Bradley Reynolds  
Bradley Reynolds

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Bradley Reynolds, Attorney  
Legal Division

**FROM:** Jolie Mathis, Utility Engineering Specialist  
Infrastructure Division

**DATE:** July 27, 2023

**RE:** Docket No. 54174 – *Application of 84 West Water Supply Corporation and City of Mexia for Sale, Transfer, or Merger of Facilities and Certificate Rights in Limestone County*

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City of Mexia (Mexia) and the 84 West Water Supply Corporation (84 West WSC) (collectively Applicants) filed an application for sale, transfer, or merger (STM) of facilities in Limestone County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, Mexia, water Certificate of Convenience and Necessity (CCN) No. 10770, seeks approval to acquire facilities and to transfer all of the water service area from 84 West WSC under water CCN No. 10786.

Based on the mapping review by Hank Journeay, Infrastructure Division, the landowner notice map provided in Item 32 should be deemed deficient because of the following reasons:

- The incorrect requested area is displayed on the map; it appears the applicants are displaying their current facility lines instead of the requested area that was deemed sufficient with Item 3 on October 11, 2022.
- The parcel boundaries are not clearly identified on the map.
- Landowners with 25 acres or more are not clearly identified on the map.
- The property ID labels on the map are difficult to read on the map.
- The property ID labels on the map should be easy to reference to the list of landowners to ensure the correct landowners were notified.

Please update the landowner notice map to resolve the deficiencies listed above. Staff recommends the Applicant obtain additional mapping guidance from the PUC's mapping staff, Hank Journeay by email at [hank.journeay@puc.texas.gov](mailto:hank.journeay@puc.texas.gov) to resolve the mapping.