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Filing Date - 2023-11-27 11:33:17 AM

Control Number - 54393

Item Number - 63

DOCKET NO. 54393

APPLICATION OF CSWR-TEXAS	§	PUBLIC UTILITY COMMISSION
UTILITY OPERATING COMPANY,	§	
LLC AND INTERMEDIARY	§	OF TEXAS
SOLUTIONS HOLDING LLC FOR	§	
SALE, TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN LUBBOCK COUNTY	§	

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF CLOSING DOCUMENTS

On November 30, 2022, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and Intermediary Solutions Holding LLC (collectively, Applicants) filed an application for the sale, transfer, or merger of facilities and certificate rights in Lubbock County.

On November 16, 2023, the administrative law judge filed Order No. 14, directing the Staff (Staff) of the Public Utility Commission of Texas to file a recommendation regarding the sufficiency of the closing documents and propose a procedural for continued processing of this docket by November 27, 2023. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents and documentation regarding customer deposits filed by Applicants and recommends that Applicants have met the requirements of 16 Texas Administrative Code (TAC) § 24.239.

Specifically, the sale and transfer was completed following the issuance of Interim Order Approving Sale and Transfer to Proceed, wherein the transferee received notice from the Commission that a hearing would not be requested.¹ Further, the closing documents were filed within 30 days after the effective date of the transaction and were signed by both the transferor and the transferee.² Therefore, Staff recommends a finding that Applicants’ closing documents are sufficient and satisfy 16 TAC § 24.239(a), (i), and (l). Additionally, Applicants submitted a confidential attachment with the names and addresses of all the customers who have deposits on record, the date such deposits were made, and the amount of each deposit, in accordance with 16

¹ 16 TAC § 24.239(i).

² 54393 CSWR-Texas Notice of Completed Transaction (Oct. 23, 2023).

TAC § 24.239(k).³ Applicants also filed an affidavit stating that the deposit amounts listed in the confidential attachment represent the entire deposit amounts and that Texas Water Systems has refunded any deposits and accrued interest held by Texas Water Systems.⁴ Accordingly, Staff also recommends that the Applicants have complied with the applicable requirements of 16 TAC § 24.239(k).

For these reasons, Staff recommends that Applicants have complied with the requirements in 16 TAC § 24.239 and respectfully recommends finding the closing documents sufficient.

II. PROCEDURAL SCHEDULE

Staff recommends that the closing documents be deemed sufficient. Staff therefore proposes the following procedural schedule:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to applicants for review and consent.	December 27, 2023
Deadline for Applicants to file signed consent forms with the Commission.	January 3, 2024
Deadline for parties to jointly file Proposed Notice of Approval, including findings of fact, conclusions of law, and ordering paragraphs.	January 17, 2024

III. CONCLUSION

Staff respectfully recommends that the closing documents be found sufficient and that the proposed procedural schedule be adopted.

³ 54393 HW Exhibit B, Attachment 1 to Notice of Completed Transaction (Oct 23, 2023).

⁴ 54393 CSWR-Texas Notice of Completed Transaction at 16.

Dated: November 27, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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Division Director

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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 November 27, 2023, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch