



## **Filing Receipt**

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**DOCKET NO. 54429**

<b>APPLICATION OF PALO DURO</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SERVICE COMPANY, INC. AND THE</b>	<b>§</b>	
<b>CITY OF HUDSON OAKS FOR SALE,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TRANSFER, OR MERGER OF</b>	<b>§</b>	
<b>FACILITIES AND CERTIFICATE</b>	<b>§</b>	
<b>RIGHTS IN PARKER COUNTY</b>	<b>§</b>	
	<b>§</b>	

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF  
NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

**I. BACKGROUND**

On December 6, 2022, Palo Duro Service Company dba Trinity River Estates (Palo Duro) and the City of Hudson Oaks (COHO) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Parker County.

On March 9, 2023, the administrative law judge (ALJ) filed Order No. 3, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice for further processing of the application by April 20, 2023. Therefore, this pleading is timely filed.

**II. SUFFICIENCY OF NOTICE**

COHO filed an Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties on April 6, 2023 indicating that the notice of the application was mailed to current customers, neighboring utilities, and affected parties on April 6, 2023. Specifically, COHO filed the affidavit and a copy of the name and address of every person and entity to which notice was provided, the date notice was provided, accompanied by the maps in the docket within 30 days of the date of notice.

Staff has reviewed COHO’s proof of notice and recommends that notice was provided in accordance with Staff’s Recommendation on Administrative Completeness and Proposed Notice filed on March 8, 2023. Therefore, Staff recommends that COHO’s notice of the application be deemed sufficient.

### III. PROPOSED PROCEDURAL SCHEDULE

Staff recommends that notice be deemed sufficient. Therefore, Staff proposes the following procedural schedule:

Event	Date
Notice complete	April 6, 2023
Deadline for intervention	May 8, 2023 <sup>1</sup>
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale	June 5, 2023
Deadline for parties to file a response to Staff's recommendation on approval of sale	June 19, 2023
120 day deadline for the Commission to approve the sale or require a hearing	August 4, 2023 <sup>2</sup>

### IV. CONCLUSION

For the reasons detailed above, Staff recommends that the notice be found sufficient and that the proposed procedural schedule be adopted.

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<sup>1</sup> Under 16 TAC § 24.239(b), the intervention period shall not be less than thirty (30) days unless good cause is shown. Notice was mailed on April 6, 2023. Therefore, thirty (30) days after April 6, 2023 is May 6, 2023. Because the Commission is closed for business on May 6, 2023, under 16 TAC § 22.4, Staff's deadline falls on May 8, 2023.

<sup>2</sup> Under 16 TAC § 24.239(a) and (i), the deadline for Commission action is one hundred twenty (120) days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after April 6, 2023 is August 4, 2023.

Dated: April 20, 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 2023-04-20 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith  
Forrest Smith