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DOCKET NO. 54429

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

COMMISSION STAFF’S CLARIFICATION IN RESPONSE TO ORDER NO. 17

I. INTRODUCTION

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

On July 12, 2024, the administrative law judge (ALJ) filed Order No. 17, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) and the Applicants to file a clarification regarding customer deposits by July 21, 2024. Therefore, this pleading is timely filed.

II. CLARIFICATION

Staff has reviewed its recommendation from Staff’s recommendation on the sufficiency of closing documents and the Application and discovered that Staff erroneously stated there were 29 customers with deposits. In fact, the opposite is correct, as shown in Figure 1 (taken from the original application) below:

5. For the customers that will be transferred following the approval of the proposed transaction, check all that apply:
<input type="checkbox"/> There are <u>no</u> customers that will be transferred
<input checked="" type="checkbox"/> # of customers without deposits held by the transferor <u>29</u>
<input type="checkbox"/> # of customers with deposits held by the transferor* _____
*Attach a list of all customers affected by the proposed transaction that have deposits held, and include a customer indicator (name or account number), date of each deposit, amount of each deposit, and any unpaid interest on each deposit.

Figure 1

Staff apologizes for this oversight and files this clarification to note that there are, in fact, no customer deposits. Therefore, Staff recommends a finding that customer deposits have been adequately addressed as required by 16 TAC § 24.239(k) and (l).

For these reasons, Staff recommends that the Applicants have complied with the applicable closing requirements of 16 TAC § 24.239. Staff therefore recommends that the closing documents and customer deposit information be found sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

Staff does not propose any changes to the procedural schedule that was proposed in Staff's recommendation on the sufficiency of closing documents, filed on July 10, 2024.

IV. CONCLUSION

For the reasons discussed above, Staff respectfully requests that an order be issued finding Applicants' closing documents sufficient and adopting the proposed procedural schedule from Staff's recommendation on the sufficiency of the closing documents.

Dated: July 15, 2024

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 will be provided to all parties of record via electronic mail on July 15, 2024 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Kevin Pierce
Kevin Pierce