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DOCKET NO. 54462

APPLICATION OF ORANGE COUNTY	§	PUBLIC UTILITY COMMISSION
WATER CONTROL & IMPROVEMENT	§	
DISTRICT NO. 1 AND WATER	§	OF TEXAS
NECESSITIES, INC. FOR SALE,	§	
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN ORANGE COUNTY	§	

COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON SUFFICIENCY OF NOTICE

On December 12, 2022, Orange County Water Control & Improvement District No. 1 (Orange County WCID No. 1) filed an application to amend Certificate of Convenience and Necessity (CCN) number 10115 in Orange County to reflect the acquisition of facilities and certificated service area from Water Necessities, Inc.'s CCN number 12243 in 1994. On February 28, 2023, Orange County WCID No. 1 filed a supplemental brief to amend the application for a sale, merger, or transfer of facilities. On May 17, 2023, Commission Staff filed on behalf of itself and Orange County WCID No. 1, a recommendation for processing this docket as the sale, transfer, or merger of facilities and certificate rights and requested the application be restyled accordingly.

On September 6, 2024, the administrative law judge (ALJ) filed Order No. 17, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice by October 11, 2024. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF NOTICE

Per Order No. 17, the deadline for Applicants to file with the Commission signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties was September 27, 2024. Applicants failed to make their filing deadline. Therefore, Staff recommends that the notice be deemed deficient. Staff has attempted to contact the Applicants regarding the failure to file the proof of notice but has been unable to conference with the Applicants. Because of the nature of this particular transaction and its history, Staff recommends that Applicants be ordered to file proof of notice by November 12, 2024, and that Staff be given a deadline of December 11, 2024, to file a recommendation on sufficiency of notice.

II. CONCLUSION

For the reasons detailed above, Staff recommends that the notice be deemed deficient, that Applicants be ordered to file proof of notice by November 12, 2024, and that Staff be given a deadline of December 11, 2024, to file a supplemental recommendation on sufficiency of notice. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: October 11, 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 October 11, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Kevin Pierce
Kevin Pierce