



## **Filing Receipt**

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**Item Number - 46**

**DOCKET NO. 54462**

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

**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 December 5, 2023, the administrative law judge (ALJ) filed Order No. 20, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file supplemental recommendations regarding the sufficiency of notice provided by the Applicants and to propose a procedural schedule for continued processing, if appropriate, by January 7, 2025. Therefore, this pleading is timely filed.

**I. SUFFICIENCY OF NOTICE**

On December 3, 2024, Orange County WCID No. 1 and Water Necessities, Inc. filed a response to the motion to dismiss, provided proof of notice, and requested that the docket not be dismissed. Staff has reviewed the proof of notice and recommends that the notice be deemed deficient. Orange County WCID No. 1's notice incorrectly states the acreage of the total requested area, and failed to include the map that was filed on September 1, 2023, in AIS #23, which was deemed sufficient in Order No. 10. Staff recommends that Orange County WCID No. 1 be ordered to correct the notice and file proof of such corrected notice by February 21, 2025, and that Staff be given a deadline of March 21, 2025, to file a recommendation on sufficiency of notice.

## **II. CONCLUSION**

For the reasons detailed above, Staff recommends that the notice be deemed deficient, that Orange County WCID No. be ordered to file proof of notice by February 21, 2025, and that Staff be given a deadline of March 21, 2025, to file a supplemental recommendation on sufficiency of notice. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: January 7, 2025

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 January 7, 2025, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Kevin Pierce  
Kevin Pierce