



Filing Receipt

Filing Date - 2023-12-18 11:26:20 AM

Control Number - 54464

Item Number - 29

DOCKET NO. 54464

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

COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE

On December 12, 2022, Orange County Water Control & Improvement District No. 1 (Lexington) (Orange County WCID No. 1) filed an application to amend Certificate of Convenience and Necessity (CCN) number 10115 in Orange County. 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 June 30, 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 November 3, 2023, the administrative law judge (ALJ) filed Order No. 10, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice by December 18, 2023. Therefore, this pleading is timely filed.

I. SUFFICIENCY OF NOTICE

Per Order No. 10, 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 December 4, 2023. Applicants failed to make their filing deadline. Therefore, Staff recommends that the notice be deemed deficient. Staff has communicated with the Applicants and can represent that Applicants are working in good faith to resolve an outstanding discrepancy in order to provide proper notice. Staff recommends that Applicants be ordered to file proof of notice by January 18, 2024, and that Staff be given a deadline of February 1, 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 January 18, 2024, and that Staff be given a deadline

of February 1, 2024, to file a recommendation on sufficiency of notice. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: December 18, 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 will be provided to all parties of record via electronic mail on December 18, 2023, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Kevin Pierce
Kevin Pierce