



## **Filing Receipt**

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| <b>APPLICATION OF CSWR-TEXAS</b>        | <b>§</b> | <b>PUBLIC UTILITY COMMISSION</b> |
| <b>UTILITY OPERATING COMPANY,</b>       | <b>§</b> |                                  |
| <b>LLC, TB GP, LLC DBA VALLEY VISTA</b> | <b>§</b> |                                  |
| <b>WATER COMPANY AND VALLEY</b>         | <b>§</b> | <b>OF TEXAS</b>                  |
| <b>VISTA HOMEOWNERS</b>                 | <b>§</b> |                                  |
| <b>ASSOCIATION, INC. DBA VALLEY</b>     | <b>§</b> |                                  |
| <b>VISTA WATER COMPANY FOR SALE,</b>    | <b>§</b> |                                  |
| <b>TRANSFER, OR MERGER OF</b>           | <b>§</b> |                                  |
| <b>FACILITIES AND CERTIFICATE</b>       | <b>§</b> |                                  |
| <b>RIGHTS IN UVALDE COUNTY</b>          | <b>§</b> |                                  |

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

**I. INTRODUCTION**

On January 4, 2023, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and Valley Vista Homeowners Association, Inc. (Valley Vista) (collectively, the Applicants) filed an application for the sale, transfer, or merger of facilities and certificate rights in Uvalde County under the provisions of Texas Water Code § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

On April 11, 2023, the administrative law judge (ALJ) filed Order No. 5, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of notice and propose a procedural schedule by May 20, 2023. Therefore, this pleading is timely filed.

**II. SUFFICIENCY OF NOTICE**

CSWR-Texas filed an Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties on April 21, 2023, indicating that notice of the application was mailed to current customers, neighboring utilities, and affected parties on April 20, 2023. Specifically, CSWR-Texas filed the affidavit and a copy of the name and address of every person and entity to which notice was provided and the date notice was provided, accompanied by maps, in the docket within 30 days of the date of notice.

Staff has reviewed CSWR-Texas' proof of notice and recommends that notice was provided in accordance with Staff's Recommendation on Administrative Completeness and Notice

and Proposed Procedural Schedule, filed on April 10, 2023. Therefore, Staff recommends that CSWR-Texas' 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 20, 2023               |
| Deadline for intervention.  | May 22, 2023 <sup>1</sup>    |
| Deadline for Staff to request a hearing or file a recommendation on the approval of the sale. | June 19, 2023                |
| Deadline for parties to file a response to Staff's recommendation on approval of the sale.    | July 3, 2023                 |
| 120-day deadline for the Commission to approve the sale or require a hearing.                 | August 18, 2023 <sup>2</sup> |

### IV. CONCLUSION

For the reasons detailed above, Staff recommends that notice be found sufficient and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

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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 20, 2023. Therefore, thirty (30) days after April 20, 2023 is May 20, 2023. Because the Commission is closed for business on May 20, 2023, under 16 TAC § 22.4, Staff's deadline falls on May 22, 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 20, 2023 is August 18, 2023.

Dated: May 19, 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 May 19, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Kelsey Daugherty  
Kelsey Daugherty