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DOCKET NO. 54546

APPLICATION OF TEXAS WATER UTILITIES, LP AND WOODLAND OAKS UTILITY LP FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN MONTGOMERY COUNTY	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF’S REQUEST FOR EXTENSION

I. INTRODUCTION

On January 4, 2023, Texas Water Utilities, LP (TWU) and Woodland Oaks Utility Company, Inc. (Woodland Oaks) (collectively, the Applicants) filed an application for the sale, transfer, or merger (STM) of facilities and certificate rights in Montgomery County under the provisions of Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

On January 6, 2023, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the application, proposed notice, and a recommendation regarding how to proceed with the application and propose a procedural schedule by February 3, 2023. Therefore, this pleading is timely filed.

II. REQUEST FOR EXTENSION

Pursuant to 16 TAC § 22.4(b), a party may request that the time allowed for the filing of any documents be extended for good cause. Upon review of the application, Woodland Oaks is currently certificated under the name of Woodland Oaks Utility Company, Inc., based on the most recently approved tariffs that were attached to the application,¹ while the remainder of the application indicates that Woodland Oaks uses the name of Woodland Oaks Utility, LP. Because of this discrepancy, Staff has conferred with the Applicants and confirmed that Woodland Oaks’ legal name is Woodland Oaks Utility, LP.

¹ Application at Attachment 3 (Jan. 4, 2023).

As such, Staff recommends that the application be amended for Woodland Oaks to request approval of a name change, so that the Commission can update Woodland Oaks' name on its water and sewer certificates and tariffs. Importantly, the Applicants do not request to cancel Woodland Oaks' certificates of convenience and necessity (CCN), because the STM application only requests to transfer a portion of Woodland Oaks' CCNs. Woodland Oaks thus will continue to provide service under its water CCN No. 12947 and sewer CCN No. 20880, so the certificates and tariffs need to be updated to reflect Woodland Oaks' legal name. Once Woodland Oaks files the amendment to request approval of the name change in this docket, Staff will file a recommendation on the sufficiency of the amendment for the requested name change and on the Applicants' proposed notice of the name change, and propose a procedural schedule for further processing. After conferring with the Applicants on when such an amendment can be filed, Staff accordingly requests an extension until February 10, 2023 to file the responsive recommendations discussed above and to propose a procedural schedule. The Applicants are not opposed to this request for extension.

III. COMMENTS ON THE STYLE OF THE DOCKET

Although the Commission has not approved Woodland Oaks' name change from Woodland Oaks Utility Company, Inc. to Woodland Oaks Utility, LP, Staff does not recommend that the docket be restyled. Staff will provide further clarification on this matter in Staff's next filing.

IV. CONCLUSION

Staff respectfully requests the entry of an order extending Staff's deadline to February 10, 2023, to file a recommendation on the sufficiency of the amendment for the requested name change and on the Applicants' proposed notice of the name change, and propose a procedural schedule.

Date: February 3, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
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CERTIFICATE OF SERVICE

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on February 3, 2023 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Scott Miles
Scott Miles