



Control Number: 54617



Item Number: 167

# **OPEN MEETING COVER SHEET COMMISSIONER MEMORANDUM**

**MEETING DATE:** April 24, 2025

**DATE DELIVERED:** April 23, 2025

**AGENDA ITEM NO.:** 5


**CAPTION:** Docket No. 54617; SOAH Docket No. 473-24-13127 – Application of Texas Water Utilities, L.P. and Southern Horizons Development, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Liberty and Montgomery Counties

**DESCRIPTION:** Chairman Thomas Gleeson Memorandum

# Public Utility Commission of Texas

## Commissioner Memorandum

**TO:** Commissioner Kathleen Jackson  
Commissioner Courtney K. Hjaltman

**FROM:** Chairman Thomas J. Gleeson 

**DATE:** April 23, 2025

**RE:** April ~~25~~<sup>24</sup>, 2025 Open Meeting – Item No. 05  
Docket No. 54617; SOAH Docket No. 473-24-13127.WS – *Application of Texas Water Utilities, L.P. and Southern Horizons Development, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Liberty and Montgomery Counties*

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On March 13, 2025, the Commission granted rehearing to allow for the preparation and approval of a final map, certificate, and tariff in this proceeding. On April 16, 2025, in response to the order granting rehearing, the parties filed a proposed map, certificate, and tariff. I recommend that the Commission approve the final map, certificate, and tariff filed on April 16, 2025. Accordingly, I recommend that the Commission make the following modifications to the order in this proceeding.

### Findings of Fact

The Commission should add two new findings of fact concerning the order granting rehearing issued in this proceeding.

- XX. Texas Water filed a motion for rehearing on February 12, 2025 to allow for the preparation and approval of a final map and certificate.
- XX. The Commission granted rehearing on March 13, 2025, and ordered the parties to file the documents needed for the map, certificate, and tariff.

The Commission should add two new findings of fact concerning the final proposed map, certificate, and tariff.

- XX. On April 4, 2025 Texas Water and Southern Horizons filed their consent forms concurring with the final map. Texas Water also consented to the final certificate and tariff.
- XX. On April 16, 2025, the final proposed map, certificate, and tariff were filed as attachments to the joint motion to admit evidence.

### Ordering Paragraphs

The Commission will consider admitting the evidence at the open meeting. If the evidence is admitted, the Commission should modify ordering paragraph 2 to approve the map and tariff

filed on April 16, 2025. The Commission should also add a new ordering paragraph to issue the certificate filed on April 16, 2025.

2. The Commission approves the:
  - a. sale and transfer of Southern Horizons' public water systems, the Southern Crossing Water System Phase 2 and the Southern Oaks Water System Phase 2 (the Systems), and 527 acres of service area held under Southern Horizons' CCN number 12863 to Texas Water;
  - b. decertification of the remaining 98.7 acres held under Southern Horizons' CCN number 12863;
  - c. cancellation of Southern Horizons' CCN number 12863; and
  - d. amendment of Texas Water's CCN number 12983 to include:
    - i. the Systems and 527 acres of service area previously held by Southern Horizons' CCN; and
    - ii. an additional 102.5 acres of currently uncertificated area.
  - e. Map and tariff attached to this Order.

XX. The Commission issues the certificate attached to this Order.

The Commission should delete ordering paragraphs 12 and 14 because they are no longer necessary.

- ~~12. Texas Water must file a tariff consistent with this Order within 30 days after the effective date of the transaction in Compliance Tariff for Final Order in Docket No. 54617 (Application of Texas Water Utilities, LP and Southern Horizons Development, Inc. for Sale, Transfer, or Merger of Facilities and Certificate of Rights in Liberty and Montgomery Counties), Docket No. 57557.~~
- ~~14. No later than 10 days after the date the tariff is filed, Staff must file its comments recommending approval, modification, or rejection of the individual sheets of the tariff proposal, unless the presiding officer in Docket No. 57557 files an order stating otherwise. Responses to Staff's recommendation must be filed no later than 15 days after the filing of the tariff, unless the presiding officer in Docket No. 57557 files an order stating otherwise. The presiding officer in Docket No. 57557 must approve, modify, or reject each proposed tariff sheet. If any proposed tariff sheets are modified or rejected, Texas Water must file proposed revisions to those tariff sheets in accordance with any applicable order by the presiding officer.~~

Finally, the Commission should delegate to the Office of Policy and Docket Management staff the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

I look forward to discussing this matter with you at the open meeting.