



Filing Receipt

Filing Date - 2024-02-13 04:53:50 PM

Control Number - 54899

Item Number - 39

DOCKET NO. 54899

**APPLICATION OF CSWR-TEXAS §
UTILITY OPERATING COMPANY, LLC §
AND CIRCLE R RANCHETTES § PUBLIC UTILITY COMMISSION
PROPERTY OWNERS ASSOCIATION §
FOR THE SALE, TRANSFER, OR § OF TEXAS
MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN TARRANT §
COUNTY §**

**JOINT SUPPLEMENTAL MOTION TO ADMIT EVIDENCE
AND PROPOSED NOTICE OF APPROVAL**

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ATTACHMENTS: Map, CCN, Tariff and Notice of Approval

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APPLICATION OF CSWR-TEXAS	§	
UTILITY OPERATING COMPANY, LLC	§	
AND CIRCLE R RANCHETTES	§	
PROPERTY OWNERS ASSOCIATION	§	PUBLIC UTILITY COMMISSION
FOR THE SALE, TRANSFER, OR	§	
MERGER OF FACILITIES AND	§	OF TEXAS
CERTIFICATE RIGHTS IN TARRANT	§	
COUNTY	§	

**JOINT SUPPLEMENTAL MOTION TO ADMIT EVIDENCE
AND PROPOSED NOTICE OF APPROVAL**

CSWR-Texas Utility Operating Company, LLC (“CSWR-Texas” or the “Company”), Circle R Ranchettes Property Owners Association (“Circle R”), and the Staff (“Staff”) of the Public Utility Commission of Texas (“Commission”) (collectively, the “Parties”) file this Joint Supplemental Motion to Admit Evidence and Proposed Notice of Approval. In support thereof, the Parties show the following:

I. BACKGROUND

On December 7, 2023, CSWR-Texas and Circle R filed closing documents reflecting the consummation of CSWR-Texas’s acquisition of Circle R’s facilities and certificated area, plus a dually certificated area. Staff filed its recommendation on the sufficiency of closing documents on December 21, 2023, recommending that the application’s closing documents be found sufficient.

II. JOINT MOTION TO ADMIT EVIDENCE

The Parties move to admit the following items into the record evidence of this proceeding:

1. The applicants’ bill of sale and assignment filed on December 7, 2023;
2. Commission Staff’s recommendation on the sufficiency of closing documents filed on December 21, 2023;
3. The applicants’ consent forms filed on January 30, 2024 and February 6, 2024, and
4. The maps, certificates, and tariffs attached to the joint supplemental motion to admit evidence and joint proposed notice of approval filed on February 13, 2024.

III. PROPOSED NOTICE OF APPROVAL

The Parties move for adoption of the attached Notice of Approval. CSWR-Texas has numerous pending dockets in which Commission Staff is required to send proposed final tariffs to applicants for review and consent. Each of these dockets is in a different stage of review and approval. As a result, a docket may produce an approved final tariff that includes systems that are still being addressed in another docket. This has caused significant confusion in the past and has necessitated numerous delays and tariff corrections across CSWR-Texas's dockets.

In an effort to address potential discrepancies and issues moving forward, Commission Staff respectfully recommends that after issuance of the Notice of Approval, the Commission require Commission Staff to file the most current comprehensive tariff with Central Records. The clean tariff filing will include the updated, approved tariff pages from that docket. In this instance, CSWR-Texas and Commission Staff submit the attached relevant tariff pages to add Circle R's facilities, rates, and service area under CCN No. 12298 to CSWR-Texas's water tariff under CCN No. 13290.

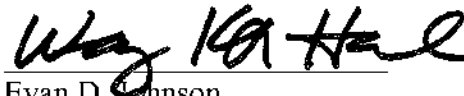
Since Commission Staff is uncertain as to when the Notices of Approval will be filed in each docket, it administratively simpler and efficient to seek approval of the relevant tariff pages for each docket and to then include the relevant information—added counties, if any, added subdivisions, and added rate schedules for the added subdivisions—in the comprehensive tariffs to be filed as clean copies with Central Records in each docket.

IV. CONCLUSION

The Parties respectfully request that the items listed above be admitted into the record of this proceeding as evidence and that the attached Proposed Notice of Approval be adopted. For convenience purposes, a copy is attached in its native format.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of February 2024, a true and correct copy of the foregoing document was served on all parties of record via electronic mail in accordance with the Second Order Suspending Rules issued in Project No. 50664.



Wendy K. L. Harvel

PUCT Docket No. 54899
CSWR-Texas Utility Operating Company, LLC
Portion of Water CCN No. 13290
Transfer all of Circle R Ranchettes POA, CCN No. 12298, and
Obtain Dual Certification with a portion of Bethesda WSC, CCN No. 10089 and CCN No. 13290 in
Tarrant County



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Water CCN

-  13290 - CSWR-Texas Utility Operating Company LLC
-  10089 - Bethesda WSC



Map by: Komal Patel
Date: January 22, 2024
Project: 54899CSWR.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

CSWR-Texas Utility Operating Company, LLC

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, CSWR-Texas Utility Operating Company, LLC is entitled to this

Certificate of Convenience and Necessity No. 13290

to provide continuous and adequate water utility service to that service area or those service areas in Angelina, Aransas, Austin, Burleson, Burnet, Calhoun, Camp, Denton, Ellis, Erath, Gillespie, Guadalupe, Harris, Hays, Hidalgo, Hood, Jackson, Kerr, Limestone, Llano, Lubbock, McCulloch, Medina, Montague, Montgomery, Navarro, Orange, Parker, Polk, Robertson, Sabine, San Augustine, Tarrant, Victoria, Wilson, and Wood Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 54899 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the CSWR-Texas Utility Operating Company, LLC to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.



WATER UTILITY TARIFF

Docket Number: 54899

CSWR – Texas Utility Operating Company, LLC
(Utility Name)

1630 Des Peres Rd Suite 140
(Business Address)

St. Louis, MO 63131
(City, State, Zip Code)

(314) 380-8595
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

13290

This tariff is effective in the following counties:

Angelina, Aransas, Austin, Burleson, Burnet, Calhoun, Camp, Denton, Ellis, Erath, Gillespie, Guadalupe, Harris, Hays, Hidalgo, Hood, Jackson, Kerr, Limestone, Llano, Lubbock, McCulloch, Medina, Montague, Montgomery, Navarro, Orange, Parker, Polk, Robertson, Sabine, San Augustine, Tarrant, Victoria, Wilson, and Wood

The following is a list of cities where CSWR-Texas Utility Operating Company, LLC provides service:

City of Red Oak

Rates for the Red Oak Community Water Service subdivision (PWS #0700056), which is located within the City of Red Oak, are not included in this tariff and should be obtained from the City of Red Oak. (Docket No. 43175)

City of Granbury, City of Lubbock, and City of Rockport

The rates set or approved by a city for the systems entirely within its corporate boundary are not presented in this tariff. Those rates are not under the original jurisdiction of the PUC and will have to be obtained from the city or utility. This tariff applies to outside city customers of systems that provide service inside and outside of a city's corporate boundary.

This tariff is effective in the following subdivisions or public water systems:

See List

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION 1.0 -- RATE SCHEDULE.....	2
SECTION 2.0 -- SERVICE RULES AND REGULATIONS	XX
SECTION 3.0 -- EXTENSION POLICY	XX
APPENDIX A -- DROUGHT CONTINGENCY PLAN	
APPENDIX B -- SERVICE AGREEMENT	

LIST OF SUBDIVISIONS AND SYSTEMS

SUBDIVISION	PWS	COUNTY	PAGE No.
Aero Valley Water Service	0610243	Denton	2
Amberwood Subdivision	1011920	Harris	2
Aransas Bay	0040018	Aransas	2
Arrowhead Water System	2470025	Wilson	2
Big Wood Springs Subdivision	2500019	Wood	2
Bois D' Arc	0040018	Aransas	2
Chaparral Water System Gillespie	0860010	Gillespie	2
Circle R Ranchettes*	2200148	Tarrant	XX
Coleto Water Company	2350036	Victoria	2
Copano Cove Subdivision	0040003	Aransas	2
Copano Heights Unit 1 & 2, Water System	0040017	Aransas	2
Copano Ridge Subdivision	0040029	Aransas	2
Council Creek Village	0270014	Burnet	2
Country Squire Water & Sewer	1810060	Orange	2
Crystal Land Water System	1330153	Kerr	2
El Pinon Estates Water System	2030013	San Augustine	2
Emerald Forest	0700058	Ellis	2
Flag Creek Ranch	1500112	Llano	2
Forest Oak Unit 1 and 2	0940085	Guadalupe	2
Franklin Water Systems 1	1520224	Lubbock	2
Franklin Water Systems 3	1520080	Lubbock	2
Goose Island State Park	0040018	Aransas	2
Grande Casa Ranchitos	0700063	Ellis	2
Hickory Hill Water	2470018	Victoria	2
Hillside Estates Water System	0080049	Austin	2
Hilltop Home Addition	1840034	Parker	2
Hilltop Estates	1840034	Parker	2
Homestead @ Turtle Creek	1330153	Kerr	2
Indian Cove	0040018	Aransas	2

LIST OF SUBDIVISIONS AND SYSTEMS

SUBDIVISION	PWS	COUNTY	PAGE No.
Laguna Tres	1110019	Hood	2
Laguna Vista	1110095	Hood	2
Lake Limestone Coves	1980020	Limestone & Robertson	2
Lakeview Ranchettes Estates	0700057	Ellis	2
La Playa Subdivision Water System	2030015	San Augustine	2
Live Oak Hills	1540012	McCulloch	2
Longford Place Water System	1810015	Orange	2
Meadowview Estates	0080051	Austin	2
Meadowview Estates II	0080059	Austin	2
Neptune Harbor	0040018	Aransas	2
North Victoria Utilities	2350049	Victoria	2
Oak Hill Estates*	1013045	Harris	3
Oak Hill Ranch Estates, Oak Hill Ranchettes	0940085	Guadalupe	2
Oak Hollow Estates, Oak Hollow Park	2470019	Wilson	2
Palmetto Park Estates	0040018	Aransas	2
Pelican Isle Water System	1750036	Navarro	2
Quiet Village II Subdivision, Quiet Village II	1080221	Hidalgo	2
Settlers Crossing Water System	0080058	Austin	2
Settlers Crossing Water System 2	0080060	Austin	2
Settlers Estates Sec II	0080056	Austin	2
Settlers Meadows Water System	0080055	Austin	2
Shady Oaks Subdivision	2350036	Victoria	2
Shady Oaks Water Company	2470017	Wilson	2
South Council Creek 1	0270079	Burnet	2
South Council Creek 2	0270080	Burnet	2
South Silver Creek I, II, III	0270041	Burnet	2
Spanish Grant	0700064	Ellis	2
Tall Pines Utility	1010220	Harris	2
Texas Landing Utilities Deerwood	1700798	Montgomery	2

LIST OF SUBDIVISIONS AND SYSTEMS

SUBDIVISION	PWS	COUNTY	PAGE No.
Texas Landing Utilities Goode City	1700744	Montgomery	2
Texas Landing Utilities	1870151	Polk	2
Thousand Oaks	0720054	Erath	2
Timberlane Water	2020054	Sabine	2
Treetops Phase 1	1840134	Parker	2
Tri County Point Water System 2	1200027	Jackson	2
Tri County Point Water System 3	1200028	Jackson	2
Tri County Point Water System 4	1200029	Jackson	2
Ville d'Alsace Water Supply*	1630037	Medina	4
Vista Verde Water Systems	1700694	Montgomery	2
Walnut Bend Water Supply	0030037	Angelina	2
WaterCo	1690028	Montague	2
The Woodlands Water System	1050139	Hays	2
Woodland Harbor	0320014	Camp	2
Woodlands West	0260043	Burleson	2

* Denotes systems with separate rate schedules. The rate schedules designated as “applicable to all water service areas reflected on list of subdivisions and systems unless otherwise specified” do not apply to these systems.

Circle R Ranchettes
(Utility Name)

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u> (Includes 0 gallons all meters)	<u>Gallonge Charge</u>
5/8" or 3/4"	<u>\$15.00</u>	<u>\$1.00</u> per 1,000 gallons from 4,000 gallons to 10,000 gallons <u>\$5.00</u> per 1,000 gallons over 10,000 gallons

FORM OF PAYMENT: The utility will accept the following forms of payment:
 Cash , Check , Money Order , Credit Card , Other (specify) _____
 THE UTILITY SHALL REQUIRE EXACT CHANGE FOR PAYMENTS AND SHALL REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT THOSE FEES TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE \$450.00
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

METER TEST FEE (actual cost of testing the meter up to) \$25.00
 THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST SHALL BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE SHALL NOT EXCEED \$25.

RECONNECTION FEE
 THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non-payment of bill (Maximum \$25.00) \$25.00
- b) Customer's request that service be disconnected \$0.00

TRANSFER FEE \$0.00
 THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

LATE CHARGE \$2.00 OR 5%
 PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE SHALL NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

Circle R Ranchettes

(Utility Name)

SECTION 1.0 -- RATE SCHEDULE (Continued)

RETURNED CHECK CHARGE \$5.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)..... \$50.00

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CERTIFICATE RIGHTS IN TARRANT §
COUNTY §**

JOINT PROPOSED NOTICE OF APPROVAL

This Notice of Approval addresses the application of CSWR-Texas Utility Operating Company, LLC (CSWR-Texas or the Company) and Circle R Ranchettes Property Owners Association (Circle R) (collectively, the Parties) for the sale, transfer, or merger of facilities and certificate rights in Tarrant County. The Commission approves the sale and transfer of all water facilities held under Circle R’s water Certificate of Convenience and Necessity (CCN) number 12298 to CSWR-Texas, the cancellation of Circle R’s water CCN number 12298, the amendment of CSWR-Texas’s water CCN number 13290 to include the area previously included in Circle R’s water CCN number 12298, and dual certification with Bethesda Water Supply Corporation (Bethesda), CCN No. 10089.

I. Findings of Fact

The Commission makes the following findings of fact:

Applicants

1. Circle R is an investor-owned utility that operates, maintains, and controls facilities for providing water service in Tarrant County under CCN number 12298.
2. Circle R is certificated to operate a public water system registered with the Texas Commission on Environmental Quality (TCEQ) as Circle R Ranchettes public water system number 2200148.
3. CSWR-Texas is a Texas limited liability company registered with the Texas secretary of state under file number 0803367893.
4. CSWR-Texas is an investor-owned utility that operates, maintains, and controls facilities for providing water service in Angelina, Aransas, Austin, Burleson, Burnet, Calhoun,

Camp, Denton, Ellis, Erath, Gillespie, Guadalupe, Harris, Hays, Hidalgo, Hood, Jackson, Kerr, Limestone, Llano, Lubbock, McCulloch, Medina, Montague, Montgomery, Navarro, Orange, Parker, Polk, Robertson, Sabine, San Augustine, Tarrant, Victoria, Wilson, and Wood counties under CCN number 13290.

Application

5. On April 18, 2023, CSWR-Texas and Circle R filed the application for approval of the sale and transfer of all facilities and service area held under Circle R's water CCN number 12298 to CSWR-Texas, cancellation of Circle R's water CCN number 12298, and amendment of CSWR-Texas's water CCN number 13290 to include the area previously included in Circle R's water CCN number 12298.
6. CSWR-Texas filed an amended application on April 28, 2023, and supplemented the application on June 7, June 14, and July 20, 2023.
7. In the amended and supplemented application, CSWR-Texas and Circle R seek approval of the following transaction: (a) CSWR-Texas will acquire all of Circle R's water facilities and water service area under water CCN number 12298 (b) Circle R's water CCN number 12298 will be cancelled; and (c) CSWR-Texas's water CCN number 13290 will be amended to include the area previously included in Circle R's water CCN number 12298. Additionally, the application requests dual certification with Bethesda Water Supply Corporation (Bethesda), CCN No. 10089.
8. The requested area comprises approximately 28.2 acres, 0.6 of which will be dually certificated with Bethesda, and 48 customer connections.
9. The requested area is located approximately 5.2 miles northwest of downtown Mansfield, Texas, and is generally bounded on the north by Sandy Lane; on the east by Teague Road; on the south by Rendon Bloodworth Road; and on the west by Rendon New Hope Road.
10. In Order No. 4, filed on July 12, 2023, the ALJ deemed the application administratively complete.

Notice

11. On July 26, 2023, CSWR-Texas filed the affidavit of Aaron Silas, Director of Regulatory Operations at CSWR-Texas, attesting that notice was provided to all current customers of Circle R, neighboring utilities, affected parties, and indicated there are no landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area on July 21, 2023.
12. In Order No. 6, filed on August 29, 2023, the ALJ deemed the notice sufficient.

Evidentiary Record

13. In Order No. 7, filed on November 14, 2023, the ALJ admitted the following evidence into the record: the application including all attachments filed on April 18, 2023; CSWR-Texas's amendment to the application filed on April 28, 2023; CSWR-Texas's first supplement to the application filed on June 7, 2023, CSWR-Texas's second supplement to the application filed on June 14, 2023; Commission Staff's recommendation on administrative completeness and notice and proposed procedural schedule filed on July 6, 2023; CSWR-Texas's third supplement, request for good cause exception and highly sensitive exhibits filed on July 20, 2023; CSWR-Texas's proof of notice filed on July 26, 2023; Commission Staff's recommendation on sufficiency of notice and good cause exception filed on August 25, 2023; and Commission Staff's final recommendation on approval of the sale filed September 19, 2023.
14. On February 13, 2024, the parties filed a joint supplemental motion to admit evidence.
15. In Order No. __, issued on _____, 2024 the ALJ admitted the following additional evidence into the record: (a) the applicants' bill of sale and assignment filed on December 7, 2023; (b) Commission Staff's recommendation on sufficiency of closing documents filed on December 21, 2023; (c) the applicants' consent forms filed on January 30, 2024 and February 6, 2024, and (d) the maps, certificates, and tariffs attached to the joint supplemental motion to admit evidence and joint proposed notice of approval filed on February 13, 2024.

Sale

16. In Order No. 8 filed on November 20, 2023, the ALJ approved the sale and transaction to proceed and required the applicants to file proof that the transaction had closed and the customer deposits had been addressed.
17. On December 7, 2023, the applicants filed notice that the sale had closed on December 5, 2023, and confirmed that there were no outstanding customer deposits that needed to be addressed.
18. In Order No. 9, filed on December 27, 2023, the ALJ found the closing documents sufficient.

CSWR-Texas's Compliance History

19. CSWR-Texas has not been under an enforcement action by the Commission, TCEQ, Texas Health and Human Services, the Office of the Attorney General, or the United States Environmental Protection Agency in the past five years for non-compliance with rules, orders, or state statutes.
20. The Commission's complaint records, which date back to 2017, show 12 complaints against CSWR-Texas.
21. CSWR-Texas does not have a history of continuing mismanagement or misuse of revenues as a utility service provider.
22. CSWR-Texas demonstrated a compliance history that is adequate for approval of the sale to proceed.

Adequacy of Existing Service

23. Currently, 48 customer connections in the requested area are being served by Circle R through public water systems number 2200148 and service has been continuous and adequate.
24. CSWR-Texas plans to make upgrades, renovation, and repairs to the system to return the system to compliance and to ensure that customers receive safe and reliable service.

Need for Additional Service

25. There is a continuing need for service because Circle R is currently serving 48 connections in the requested area and area to be dually certified.
26. There have been no specific requests for additional service within the requested area.

Effect of Approving the Transaction and Granting the Amendment

27. Approving the sale and transfer to proceed and granting the CCN amendment will obligate CSWR-Texas to provide continuous and adequate water service to current and future customers in the requested area.
28. There will be no effect on landowners as the area is currently certificated.
29. There will be no effect on any retail public utility servicing the proximate area because this application is to transfer only existing facilities, customers, and service area and all retail public utilities in the proximate area were provided notice of the transaction taking place in this application and did not request to intervene.

Ability to Serve: Managerial and Technical

30. CSWR-Texas owns and operates numerous TCEQ-approved public water systems.
31. CSWR-Texas employs or contracts with TCEQ-licensed water operators who will operate the public water system.
32. CSWR-Texas has the technical, financial, managerial capability to provide adequate and continuous service to the requested area.
33. CSWR-Texas has access to an adequate supply of water and is capable of providing water that meets applicable state regulatory requirements.

Ability to Serve: Financial Ability

34. CSWR, LLC, the immediate parent company of CSWR-Texas, is capable, available, and willing to cover temporary cash shortages, and has a debt-to-equity ratio of less than one, satisfying the leverage test.
35. CSWR, LLC provided a written guarantee of coverage of temporary cash shortages demonstrating that it has sufficient cash available to cover any projected operations and

maintenance shortages in the first five years of operations after completion of the transaction and possesses the cash and leverage ability to pay for capital improvements and necessary equity investments—satisfying the operations test.

36. CSWR-Texas demonstrated the financial and managerial ability and stability to provide continuous and adequate service to the requested area.

Financial Assurance

37. There is no need to require CSWR-Texas to provide a bond or other financial assurance to ensure continuous and adequate service.

Feasibility of Obtaining Service from Adjacent Retail Public Utility

38. Circle R is currently serving customers and there will be no changes to land uses or existing CCN boundaries. Therefore, it is not feasible to obtain service from another utility.

Environmental Integrity and Effect on the Land

39. The requested areas will continue to be served with existing infrastructure.
40. There will be minimal effects on environmental integrity of the land as a result of CSWR-Texas's planned upgrades, renovations, and repairs to the public water system.

Improvement of Service or Lowering Cost to Customers

41. CSWR-Texas will provide improved water service to the existing customers in the requested area after completion of the planned upgrades, renovations, and repairs to the public water system.
42. CSWR-Texas will adopt Circle R's current rates upon the consummation of the transaction.

Regionalization or Consolidation

43. The construction of a physically separate system is not necessary for CSWR-Texas to serve the requested area. Therefore, concerns of regionalization or consolidation do not apply.

Tariffs, Maps, and Certificates

44. On January 22, 2024, Commission Staff emailed to the applicants the final proposed map, certificate, and tariff related to this docket.
45. On January 30, 2024 and February 6, 2024, the applicants filed their consent forms concurring with the proposed final map, certificate, and tariff.
46. The final map, certificate, and tariff, were included as attachments to the joint supplemental motion to admit evidence, filed on February 13, 2024.
47. It is appropriate for CSWR-Texas and Commission Staff to only propose the final tariff pages that are relevant to this docket for approval. Once approved, it is sufficient for Commission Staff to file the most current comprehensive clean tariff that includes the approved final tariff pages and information relevant to this docket within ten days of this Notice of Approval.

Informal Disposition

48. More than 15 days have passed since the completion of notice provided in this docket.
49. No person filed a protest or motion to intervene.
50. Circle R, CSWR-Texas, and Staff are the only parties to this proceeding.
51. No party requested a hearing, and no hearing is needed.
52. Staff recommended approval of the application.
53. The decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law:

1. The Commission has authority over this proceeding under TWC §§ 13.041, 13.241, 13.242, 13.244, 13.246, 13.251, and 13.301.
2. CSWR-Texas and Circle R are retail public utilities as defined by TWC § 13.002(19) and 16 TAC § 24.2(31).
3. The Commission processed the application as required by the TWC, the Administrative Procedures Act,¹ and Commission Rules.
4. The application meets the requirements of TWC § 13.244 and 16 TAC § 24.233.

¹ Tex. Gov't Code §§ 2001.001-.903.

5. The applicants provided notice of the application that complies with TWC §§ 13.246 and 13.301(a)(2) and 16 TAC § 24.239.
6. Circle R and CSWR-Texas have complied with the requirements of 16 TAC § 24.239(k) with respect to customer deposits.
7. Circle R and CSWR-Texas completed the sale within the time frame required by 16 TAC § 24.239(m).
8. After consideration of the factors in TWC § 13.246(c), CSWR-Texas demonstrated that it is capable of rendering continuous service to every customer in the requested area, as required by TWC § 13.251.
9. CSWR-Texas demonstrated adequate financial, managerial, and technical capability for providing adequate and continuous service to the requested area as required by TWC §§ 3.241(a) and 13.301(b).
10. It is not necessary for CSWR-Texas to provide bond or other financial assurance under TWC §§ 13.246(d) and 13.301(c).
11. CSWR-Texas and Circle R demonstrated that the sale of Circle R's water and sewer facilities and the transfer of the water and sewer service areas held under CCN number 12298 from Circle R to CSWR-Texas under water CCN number 13290 will serve the public interest and is necessary for the service, accommodation, convenience, and safety of the public under TWC § 13.301(d), (e).

III. Ordering Paragraphs

In accordance with the proposed findings of fact and conclusions of law, the Commission enters the following orders:

1. The Commission approves the sale and transfer of all facilities held under Circle R's water CCN number 12298 to CSWR-Texas, as shown on the attached map.
2. The Commission cancels Circle R's CCN number 12298.
3. The Commission amends CSWR-Texas's water CCN number 13290 to include the area previously included in Circle R's water CCN number 12298, as shown on the attached map.
4. The Commission approves the map and tariff attached to the Notice of Approval.

5. The Commission issues the certificate attached to this Notice of Approval.
6. CSWR-Texas must provide service to every customer or applicant for service within the approved area under water CCN number 13290 that requests service and meets the terms of CSWR-Texas's water service, and such service must be continuous and adequate.
7. CSWR-Texas meets the requirements of TWC § 13.241(b) to provide water utility service.
8. CSWR-Texas must comply with the recording requirements in TWC § 13.257(r) and (s) for the area in Tarrant County affected by the application and must submit to the Commission evidence of the recording no later than 45 days after receipt of the Notice of Approval.
9. Within ten days of the date of the Notice of Approval, Commission Staff must provide a clean copy of the tariff approved by this Notice of Approval to central records to be marked Approved and filed in the Commission's tariff books.
10. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

Signed at Austin, Texas the _____ day of _____ 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

**JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE**