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DOCKET NO. 55304

APPLICATION OF TEXAS WATER UTILITIES, LP AND SWWC UTILITIES, INC. DBA HORNSBY BEND UTILITY COMPANY, INC. FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN TRAVIS COUNTY	§ § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF’S SECOND AMENDED FINAL RECOMMENDATION ON THE TRANSACTION

On July 31, 2022, Texas Water Utilities, LP (Texas Water) and SWWC Utilities, Inc. dba Hornsby Bend Utility Company, Inc. (collectively, Applicants) filed an application for the sale, transfer, or merger of facilities and certificate rights in Travis County under the provisions of Texas Water Code § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

On February 15, 2024, the Staff (Staff) of the Public Utility Commission of Texas (Commission) filed an amended final recommendation on the transaction.¹ Staff files this pleading to amend a small portion of the memorandum of James Harville that was attached to Staff’s previously filed amended final recommendation.

I. RECOMMENDATION ON THE TRANSACTION

On February 15, 2024, Staff filed an amended final recommendation with a memorandum from James Harville of the Infrastructure Division attached.² In the memorandum, Staff stated that there are 132 complaints against Texas Water Utilities, with 8 open complaints currently being addressed while the remaining complaints have been revised and closed by the Commission’s Consumer Protection Division. As detailed in the attached memorandum of James Harville, there are 618 complaints against Texas Water Utilities and 11 open complaints currently being addressed while the remaining complaints have been reviewed and closed. Other than this minor change to the number of complaints against Texas Water Utilities and the number of open complaints, Staff has no further substantive changes from its previously filed final recommendation on the transaction. Staff is also authorized to represent that the Applicants agree with this change.

¹ *Application of Texas Water Utilities, LP and SWWC Utilities, Inc. DBA Hornsby Bend Utility Company, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Travis County*, Docket No. 55304, Commission Staff’s Amended Final Recommendation on the Transaction (Feb. 15, 2024).

² *Id.*

II. CONCLUSION

For the reasons detailed above, Staff respectfully request the entry of an order consistent with the above.

Date: October 11, 2024

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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/s/ Markel Perkins
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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 October 11, 2024 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Markel Perkins
Markel Perkins

Public Utility Commission of Texas

Memorandum

TO: Markel Perkins, Attorney
Legal Division

FROM: James Harville, Infrastructure Analyst
Infrastructure Division

DATE: October 11, 2024

RE: Docket No. 55304 – *Application of Texas Water Utilities, LP and SWWC Utilities, Inc. dba Hornsby Bend Utility Company, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Travis County*

1. Application

On July 31, 2023, Texas Water Utilities, L.P. (Texas Water Utilities) and SWWC Utilities, Inc. dba Hornsby Bend Utility Company, Inc. (SWWC Utilities) (collectively Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Travis County, Texas, under Texas Water Code (TWC) §§ 13.242 through 13.250 and § 13.301 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237 and § 24.239.

Specifically, Texas Water Utilities, Certificate of Convenience and Necessity (CCN) Nos. 12983 and 20899, seeks approval to acquire facilities and to transfer all of the water and sewer service area from SWWC Utilities under water CCN No. 11978 and sewer CCN No. 20650.

2. Update to Complaint Information

The Commission's complaint records, which date back five years¹, show 618 complaints against Texas Water Utilities, with 11 open complaints. Of the 618 complaints the 11 open complaints are being addressed and the remaining complaints have been reviewed and closed by the Commission's Consumer Protection Division.

¹ The complaint record for TWU for the past five years includes complaints investigated against TWU previously known as Monarch Utilities I L.P. The Commission amended the water CCN number 12983 and sewer CCN number 20899 to reflect Monarch Utilities I L.P.'s name change to Texas Water Utilities LP. The name change was approved on November 15, 2022. See *Application of Monarch Utilities I, L.P. for a Certificate of Convenience and Necessity Name Change and a Minor Tariff Change*, Docket No. 53636, Notice of Approval (Nov. 15, 2022).