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Filing Date - 2024-03-07 12:56:00 PM

Control Number - 55336

Item Number - 16

DOCKET NO. 55336

APPLICATION OF SP UTILITY	§	PUBLIC UTILITY COMMISSION
COMPANY, INC. AND ALBURY	§	
MANOR UTILITY COMPANY, INC.	§	OF TEXAS
FOR SALE, TRANSFER, OR MERGER	§	
OF FACILITIES AND CERTIFICATE	§	
RIGHTS IN HARRIS COUNTY	§	

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

On August 8, 2023, SP Utility Company, Inc (SP Utility) and Albury Manor Utility Company, Inc. (Albury Manor Utility) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Harris County, Texas.

On January 31, 2024, the administrative law judge 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 to propose a procedural schedule by March 7, 2024. Therefore, this pleading is timely filed.

I. NOTICE

Staff has reviewed the proof of notice filed by SP Utility and recommends that the notice is sufficient. Specifically, SP Utility filed an affidavit, dated February 2, 2024, of Harrison Williams, President of SP Utility, attesting that notice was mailed to current customers, neighboring utilities, and affected parties on January 29, 2024. SP Utility also filed an affidavit, dated February 2, 2024, of Mr. Williams, attesting that notice was mailed to a landowner owning a tract of land over 25 acres wholly or partially inside the requested area on January 29, 2024. In addition, SP Utility included a copy of the notices provided, a list of the name and address of every person and entity to which notice was provided, and the general location and detailed maps deemed sufficient during administrative review. Therefore, Staff recommends that SP Utility’s notice of the application be deemed sufficient for further processing of this matter.

II. PROPOSED PROCEDURAL SCHEDULE

Staff recommends that notice be deemed sufficient. Therefore, Staff proposes the following procedural schedule:

Event	Date
Notice completed	January 29, 2024
Deadline for intervention	February 28, 2024 ¹
Deadline for Staff to request a hearing or file a recommendation on approval of the sale	March 29, 2024
Deadline for Applicants to file a response to Staff's recommendation on approval of the sale or request a hearing	April 12, 2024
Deadline for parties to file a joint motion to admit evidence and proposed order approving the sale and allowing the transaction to proceed	April 26, 2024
120-day deadline for the Commission to approve the sale or require a hearing	May 28, 2024 ²

III. 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.

¹ Under 16 Texas Administrative Code (TAC) § 24.239(d), the intervention period shall not be less than thirty (30) days unless good cause is shown. Notice was mailed on January 29, 2024. Thirty (30) days after January 29, 2024, is February 28, 2024.

² Under 16 TAC § 24.239(b) and (h), the deadline for Commission action is one hundred and twenty (120) days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after January 29, 2024, is May 28, 2024.

Dated: March 7, 2024

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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DOCKET NO. 5

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 March 7, 2024, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Scott Miles
Scott Miles