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DOCKET NO. 55414

APPLICATION OF CSWR-TEXAS	§	PUBLIC UTILITY COMMISSION
UTILITY OPERATING COMPANY,	§	
LLC AND VINEYARD RIDGE WATER	§	OF TEXAS
SUPPLY, LLC FOR SALE, TRANSFER,	§	
OR MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN GILLESPIE	§	
COUNTY	§	

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

I. INTRODUCTION

On August 29, 2023, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and Vineyard Ridge Water Supply, LLC filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Gillespie County under Texas Water Code § 13.301 and Texas Administrative Code § 24.239. On October 27, 2023, CSWR-Texas filed its proof of notice with exhibits.

On October 2, 2023, the administrative law judge issued Order No. 2, establishing a deadline for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice and propose a procedural schedule by November 13, 2023. Therefore, this pleading is filed timely.

II. RECOMMENDATION ON NOTICE

Staff has reviewed the proof of notice filed by CSWR-Texas and recommends that the notice is sufficient. Specifically, CSWR-Texas provided an affidavit of notice dated October 23, 2023, signed by Eric Rocchio, a regulatory case manager and authorized representative of CSWR-Texas, attesting that notice was provided on October 20, 2023, to its current customers, neighboring utilities, and affected parties, as well as the maps that were attached to the provided notice. CSWR-Texas also provided an affidavit of notice dated October 23, 2023, and signed by Mr. Rocchio attesting that notice was provided to additional affected parties on October 23, 2023, with the same attached maps. Staff did not recommend, and CSWR-Texas did not provide, publication notice because the transfer involves all certificated area. Accordingly, Staff recommends that CSWR-Texas’ proof of notice is sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for continued processing of this application:

Event	Date
Notice completed	October 23, 2023
Deadline to intervene	November 22, 2023 ¹
Deadline for Staff to request a hearing or file a recommendation on approval of the sale	January 5, 2024
Deadline for parties to file a response to Staff's recommendation	January 15, 2024
Deadline for parties to file a joint motion to admit evidence and proposed order approving the sale and allowing the transaction to proceed.	January 29, 2024
120-day deadline for the Commission to approve the sale or require a hearing	February 20, 2024 ²

IV. CONCLUSION

For the reasons detailed above, Staff respectfully requests that the notice be found sufficient and that the proposed procedural schedule be adopted for further processing of this docket.

¹ Under 16 TAC § 24.239(b), the intervention period shall not be less than thirty (30) days unless good cause is shown. Notice was mailed on August 22, 2023. Thirty (30) days after October 23, 2023, is November 22, 2023.

² Under 16 TAC § 24.239(b) and (i), the deadline for Commission action is one hundred twenty (120) days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days (120) after October 23, 2023, is February 20, 2024.

Dated: November 13, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
Division Director

/s/ Andy Aus
Andy Aus
State Bar No. 24077782
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7292
(512) 936-7268 (facsimile)
Andy.Aus@puc.texas.gov

DOCKET NO. 55414

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 November 13, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Andy Aus
Andy Aus