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DOCKET NO. 55790

APPLICATION OF YANCEY WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION AND NEW	§	
ALSACE WATER SUPPLY	§	OF TEXAS
CORPORATION FOR SALE,	§	
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN MEDINA COUNTY	§	

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

I. INTRODUCTION

On November 1, 2023, Yancey Water Supply Corporation (Yancey WSC) and New Alsace Water Supply Corporation (New Alsace WSC) (together, Applicants) filed an application for approval of the sale, transfer, or merger of facilities (STM) and certificate of convenience and necessity (CCN) rights in Medina County. Applicants filed supplemental information on December 7, 2023, and January 3, 2024.

On December 4, 2023, the administrative law judge (ALJ) filed Order No. 2, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on sufficiency of notice and to propose a procedural schedule by January 17, 2024. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF NOTICE

Yancey WSC filed an Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties on January 3, 2024, indicating that the notice of the application was mailed to current customers, neighboring utilities, and affected parties on December 7, 2023, and December 21, 2023. Specifically, Yancey WSC filed the affidavit and a copy of the name and address of every person and entity to which notice was provided, the date notice was provided, accompanied by the maps in the docket within 30 days of the date of notice.

Staff has reviewed Yancey WSC’s proof of notice and recommends that notice was provided in accordance with Staff’s Recommendation on Administrative Completeness and Proposed Notice filed on December 1, 2023. Therefore, Staff recommends that Yancey WSC’s notice of the application be deemed sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

Staff respectfully proposes the following procedural schedule:

Event	Date
Notice completed	December 21, 2023
Deadline to intervene	January 22, 2024 ¹
Deadline for Staff to request a hearing or file a recommendation on approval of the sale and on the CCN amendment	February 26, 2024
Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing transaction to proceed	March 11, 2024
120-day deadline for the Commission to approve the sale or require a hearing ²	April 22, 2024 ³

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the notice be found sufficient and that the proposed procedural schedule be adopted.

¹ Under 16 TAC § 22.4(a), if the Commission is not open for business on the date of the deadline, the deadline moves to the next day on which the Commission is open for business. 30 days from December 21, 2023, is January 20, 2024, which is a Saturday. Therefore, the deadline moves to the next business day, Monday, January 22, 2024.

² 16 TAC § 24.239(i)(1).

³ Under 16 TAC § 22.4(a), 120 days from December 21, 2023, is April 20, 2024, which is a Saturday. Therefore, the deadline moves to the next business day, Monday, April 22, 2024.

Dated: January 17, 2024

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 January 17, 2024, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Tyler Xu
Tyler Xu