



Filing Receipt

Filing Date - 2024-07-03 04:41:09 PM

Control Number - 56608

Item Number - 6

DOCKET NO. 56608

APPLICATION OF HENRY M. GARZA	§	PUBLIC UTILITY COMMISSION
DBA CIELO AZUL RANCH PUBLIC	§	
WATER SYSTEM AND CIELO AZUL	§	OF TEXAS
AGUA LLC FOR SALE, TRANSFER,	§	
OR MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN HAYS	§	
COUNTY	§	

**COMMISSION STAFF'S SUPPLEMENTAL COMMENTS ON THE CORRECT NAME
OF THE APPLICANTS, SUFFICIENCY OF THE APPLICANT'S OATHS, AND
REQUEST TO RESTYLE**

On May 13, 2024, Henry M. Garza dba Cielo Azul Ranch Public Water System and Cielo Azul Agua LLC (collectively, Applicants) filed an application for the sale, transfer, or merger of facilities and certificate rights in Hays County.

On June 17, 2024, the administrative law judge filed Order No. 2, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) file supplemental comments regarding the correct name of the transferor and transferee, whether the transferee and transferor oaths have been properly executed, and the correct style of this application by July 8, 2024. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON THE APPLICANT'S NAMES AND SUFFICIENCY
OF THE OATHS**

Staff has reviewed Applicants' clarification and recommends that the correct names have been clarified and that the transferee and transferor oaths have been properly executed. On June 27, 2024, the Applicants filed clarification regarding the correct name for the transferor and transferee. Based on Staff's review, Staff recommends that the correct name for the transferor is the Estate of Henry M. Garza dba Cielo Azul Ranch, and that the correct name for the transferee is Cielo Azul Agua LLC. Additionally, Staff reviewed applicant's revised transferor and transferee oaths and recommends that they were properly executed and correctly identify the transferor and transferee.

II. REQUEST TO RESTYLE

This docket is currently styled, "*Application of Henry M. Garza dba Cielo Azul Ranch Public Water System and Cielo Azul Agua LLC for Sale, Transfer, or Merger for Facilities and*

Certificate Rights in Hays County.” Because Staff recommends that the correct name for the transferee is the Estate of Henry M. Garcia dba Cielo Azul Ranch, Staff respectfully requests that the docket be restyled to “*Application of the Estate of Henry M. Garcia dba Cielo Azul Ranch and Cielo Azul Agua LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Hays County.*”

III. CONCLUSION

For the reasons detailed above, Staff respectfully requests the entry of an order consistent with these recommendations.

Date: July 3, 2024

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Marisa Lopez Wagley
Division Director

Ian Groetsch
Managing Attorney

/s/ Rowan Pruitt
Rowan Pruitt
State Bar No. 24137425
1701 N. Congress Avenue
P.O Box 13326
Austin, Texas 78711-3326
(512) 936-7308
(512) 936-7268 (facsimile)
Rowan.Pruitt@puc.texas.gov

DOCKET NO. 56608
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 July 3, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Rowan Pruitt
Rowan Pruitt

Public Utility Commission of Texas

Memorandum

TO: Rowan Pruitt, Attorney
Legal Division

FROM: Jaspinder Singh, Engineering Specialist
Infrastructure Division

DATE: July 3, 2024

RE: Docket No. 56608 – *Application of Henry M. Garza dba Cielo Azul Ranch Public Water System and Cielo Azul Agua LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Hays County*

Application:

On May 13, 2024, Henry M. Garza dba Cielo Azul Ranch (Cielo Azul Ranch) and the Cielo Azul Agua LLC (Cielo Azul Agua) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Hays 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, Cielo Azul Agua, seeks approval to acquire facilities, to transfer all of the water service area, and transfer Certificate of Convenience and Necessity (CCN) number from Cielo Azul Ranch under water CCN No. 12702.

Order No. 2 requested that the Commission Staff provide comments regarding the correct name of the transferor and transferee, whether the transferee and transferor oaths have been properly executed, and correct style of this application.

Recommendations:

Based on the clarification provided by the applicant on June 27, 2024, I recommend the following names:

- Transferor: The Estate of Henry M. Garza dba Cielo Azul Ranch.
- Transferee: Cielo Azul Agua LLC

Applicant submitted revised transferor and transferee oaths under item 5 on June 27, 2024, which correctly identifying the transferor and transferee oaths.

Additionally, Staff requests the docket be restyled to “*Application of the Estate of Henry M. Garza dba Cielo Azul Ranch and Cielo Azul Agua LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Hays County.*”