



Filing Receipt

Filing Date - 2024-11-12 01:46:37 PM

Control Number - 56979

Item Number - 17

DOCKET NO. 56979

| | | |
|--|----------|----------------------------------|
| APPLICATION OF CORIX UTILITIES | § | PUBLIC UTILITY COMMISSION |
| (TEXAS) INC. FOR A NAME CHANGE, | § | |
| AND AMENDMENT TO | § | OF TEXAS |
| CERTIFICATES OF CONVENIENCE | § | |
| AND NECESSITY | § | |

COMMISSION STAFF’S RECOMMENDATION ON FINAL DISPOSITION

On August 23, 2024, Corix Utilities (Texas) Inc. (“Corix”) filed an application for a Name Change, and Amendment to Certificates of Convenience and Necessity, seeking to change the name on its tariffs and certificates held under CCN Nos. 21081 and 13277 to Utilities, Inc of Texas dba Corix Utilities (Texas) Inc.

On October 29, 2024, the administrative law judge (ALJ) filed order No. 4, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on final disposition by November 12, 2024. Therefore, this pleading is timely filed.

I. STAFF’S FINAL RECOMMENDATION

Staff has reviewed Corix’s application and, as detailed in the attached memorandum of Patricia Garcia of the Commission’s Infrastructure Division, recommends that the application be approved. In the absence of an applicable rule for the water and sewer context, Staff proposed to mirror the telecommunications name change requirements for water and sewer certificate of convenience and necessity (CCN) holders until such time a rule specific to the water and sewer context is promulgated.

Under 16 TAC § 26.101(e)(1)(A), a person or entity granted a CCN by the Commission is required to file an application to amend the CCN in order to change the corporate name or assumed name of the certificate holder. Corix has met this requirement by filing an application for a name change amendment to its CCN Nos. 21081 and 13277.

Based on Staff’s review of Corix’s application and its assumed name certificate, Staff recommends that the application to amend CCN Nos. 21081 and 13277 to reflect a name change to Utilities, Inc. of Texas dba Corix Utilities (Texas) Inc. be approved. This name change application does not include any boundary changes to the certificated service areas. Therefore, no final maps

will be created in this docket. Staff has attached that applicable water CCN No. 13227 and sewer CCN No. 21081 to this pleading.

II. NOTICE

Staff recommends that notice be found to have been provided in accordance with 16 TAC § 22.55. Under 16 TAC § 22.55, the presiding officer may require a party to provide reasonable notice affected persons. Notice of this proceeding was provided in the November 8, 2024 issue of the Texas Register.

III. CONCLUSION

For the reasons discussed above, Staff respectfully requests the issuance of an order approving Corix's application for a name change on its tariffs and certificates held under CCN Nos. 21081 and 13277 from Corix Utilities (Texas) Inc. to Utilities, Inc. of Texas dba Corix Utilities (Texas).

Dated: November 12, 2024

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Marisa Lopez Wagley
Division Director

Andy Aus
Managing Attorney

/s/ Juan Guajardo
Juan Guajardo
State Bar No. 24126519
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7207
(512) 936-7268 (facsimile)
Juan.Guajardo@puc.texas.gov

DOCKET NO. 56979

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 12, 2024 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Juan Guajardo

Juan Guajardo

Public Utility Commission of Texas

Memorandum

TO: Juan Guajardo, Attorney
Legal Division

FROM: Patricia Garcia, Infrastructure Analysis Section Director
Infrastructure Division

DATE: November 12, 2024

RE: Docket No. 56979 – *Application of Corix Utilities (Texas) Inc. for a Name Change, Minor Tariff Change, and Amendment to Certificates of Convenience and Necessity*

On August 23, 2024, Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc. (Utilities, Inc.) filed an application for a Certificate of Convenience and Necessity (CCN) name change that amends water CCN No. 13227 and sewer CCN No. 21081, and a minor tariff change.

Utilities, Inc. seeks to change the corporate name on CCN Nos. 13227 and 21081 from Corix Utilities (Texas) Inc. to Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc. Utilities, Inc. included with its application a certificate of filing from the Texas Secretary of State effectuating this name change.

Although applicable specifically in the telecommunications context, 16 Texas Administrative Code (TAC) §§ 26.101(d) and (e) are informative of how the Commission reviews CCN name changes. In the absence of an applicable rule for the water and sewer context, Staff proposes to mirror those requirements for water and sewer CCN holders until such time as a rule specific to the water and sewer context is promulgated. Staff believes that such streamlined, administrative review for water or sewer CCN name changes is appropriate when the Commission has previously reviewed and approved the CCN holder's financial, managerial, and technical (FMT) capabilities to provide continuous and adequate service. Here, Staff evaluated Corix FMT capabilities in Docket No. 54858 and recommended that they met criteria of Texas Water Code § 13.241(a) and 16 TAC § 24.227(a). The Commission accordingly approved Corix's amendment request in that proceeding. Therefore, Staff recommends that streamlined, administrative review as described above is warranted in this proceeding.

Pursuant to 16 TAC § 26.101(e)(1)(A), a person or entity granted a CCN by the Commission is required to file an application to amend the CCN in order to change the corporate name or assumed name of the certificate holder. Utilities, Inc. has met this requirement by filing an application for a name change amendment to its water CCN No. 13227 and sewer CCN No. 21081.

Pursuant to 16 TAC § 26.101(d)(1), an applicant must provide certain information from its registration with the Office of the Secretary of State or from its corporate registration in another state or county. The required information includes: (1) form of business; (2) any assumed name; (3) certification/file number; and (4) date business was registered. 16 TAC § 26.101(d)(2) further specifies that the requested name may not be deceptive, misleading, vague, inappropriate, confusing, or duplicative of an existing certificated utility. Staff has reviewed Utilities, Inc. application and concludes all the information required by 16 TAC § 26.101(d)(1) has been provided and therefore meets such requirements. Additionally, after a review of the Commission's database, Staff concludes that the name "Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc." does not violate 16 TAC § 26.101(d)(2) and is therefore acceptable.

Based on Staff's review of Utilities, Inc.'s application and its assumed name certificate, Staff recommends that the application to amend water CCN No. 13227 and sewer CCN No. 21081 to reflect a name change to "Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc." be approved. This name change application does not include any boundary changes to the certificated service areas for water CCN No. 13227 or sewer CCN No. 21081. Therefore, no final maps will be created in this docket.



Public Utility Commission of Texas

By These Presents Be It Known To All That

Utilities, Inc. of Texas

dba Corix Utilities (Texas), Inc.

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc. is entitled to this

Certificate of Convenience and Necessity No. 13227

to provide continuous and adequate water utility service to that service area or those service areas in Bastrop, Burnet, Colorado, Hays, Lampasas, and Matagorda counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 56979 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc. to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.



Public Utility Commission of Texas

By These Presents Be It Known To All That

Utilities, Inc. of Texas

dba Corix Utilities (Texas), Inc.

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc. is entitled to this

Certificate of Convenience and Necessity No. 21081

to provide continuous and adequate sewer utility service to that service area or those service areas in Bastrop, Burnet, Colorado, Hays, Lampasas, and Matagorda counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 56979 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Utilities, Inc. of Texas dba Corix Utilities (Texas), Inc. to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.