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PUBLIC UTILITY COMMISSION

OPEN MEETING COVER SHEET

MEETING DATE: October 7, 2016

DATE DELIVERED: September 30, 2016

AGENDA ITEM NO.: 23

CAPTION: *Docket No. 46078 - Petition of Monterrey Oaks, Ltd. to Amend the City of Splendora's Certificate of Convenience and Necessity in Montgomery County by Expedited Release.*

ACTION REQUESTED: Discussion and possible action with respect to Proposed Order.

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Public Utility Commission of Texas

COMMISSION
FILING CLERK

TO: Donna L. Nelson, Chairman
Kenneth W. Anderson, Jr., Commissioner
Brandy Marty Marquez, Commissioner

All Parties of Record

FROM: Stephanie Frazzell 
Administrative Law Judge

RE: **Open Meeting of October 7, 2016**
Docket No. 46078 – *Petition of Monterrey Oaks, Ltd to Amend the City of Splendora's Certificate of Convenience and Necessity in Montgomery County by Expedited Release*

DATE: September 30, 2016

On September 16, 2016, a Proposed Order in the above-referenced docket was issued. The Commission is currently scheduled to consider this docket at an open meeting to begin at 9:30 a.m. on Friday, October 7, 2016, at the Commission's offices, 1701 North Congress Avenue, Austin, Texas.

On September 29, 2016, Commission Staff filed corrections to the Proposed Order. Commission Staff requested corrections to Finding of Fact Nos. 18 and 19 to replace "sewer" with "water." Commission Staff also requested that Ordering Paragraph No. 2 be revised to clarify that only a portion of the 102.291-acre tract is removed from Splendora's CCN No. 11727. The administrative law judge (ALJ) finds the corrections appropriate, as modified.

Ordering Paragraph No. 2 is revised as follows:

2. Monterrey Oaks Ltd's property located within Splendora's certificated service area, approximately 98 acres, is removed from Splendora's CCN No. 11727.

To further clarify, the ALJ modifies Finding of Fact Nos. 13 and 14 as follows:

13. Monterrey Oaks owns the 102.291-acre tract; approximately 98 acres of the tract are within Splendora's certificated service area.



14. The approximately 98 acres sought to be released from Splendora's CCN No. 11727 are located within Montgomery County.

The word "water" will replace "sewer" in Finding of Fact Nos. 18 and 19.

The ALJ also corrects a minor typographical error in Conclusions of Law No. 4 to include the word "of" between presence and infrastructure.

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