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PETITION OF CELINA PARTNERS, §
LTD. TO AMEND MARILEE §
SPECIAL UTILITY DISTRICT'S §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN COLLIN §
COUNTY BY EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION
OF TEXAS

PUBLIC UTILITY COMMISSION
FILING CLERK

COMMISSION STAFF'S COMMENTS ON AMENDED PETITION

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files these Comments on the Amended Petition. In support thereof, Staff shows the following:

I. BACKGROUND

On February 17, 2017, Celina Partners, Ltd. (Celina) filed a petition (Petition) with the Public Utility Commission of Texas (Commission) for expedited release of 297.09 acres from Marilee Special Utility District's (Marilee) water certificate of convenience and necessity (CCN) No. 10150 in Collin County, Texas, pursuant to Tex. Water Code § 13.254(a-5) (TWC) and 16 Tex. Admin. Code § 24.113(r) (TAC).¹ Celina asserts that the Property is not receiving water service from Marilee.² Marilee disputes Celina's claim that Celina is not receiving service from Marilee.³

In Order No. 3, issued March 22, 2017, the Administrative Law Judge (ALJ) instructed Staff to file a recommendation on final disposition by April 5, 2017. Therefore, this pleading is timely filed.

II. COMMENTS ON AMENDED PETITION

Celina filed an amendment to its petition on April 4, 2017. Celina is proposing to amend its Petition to exclude 0.5 acres of the northeast section of the Property.⁴ Pursuant to TWC § 13.254(a-6) and 16 TAC § 24.113(s), the Commission must render a decision on a petition for

¹ Petition at 4 (Feb. 17, 2017).

² *Id.*

³ Marilee's Response at 1 (Mar. 15, 2017).

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expedited release “not later than the 60th calendar day after the date the landowner files the petition.” A petition is not considered filed until it is deemed administratively complete. Celina’s initial Petition was deemed administratively complete in Order No. 3; however, because Celina filed an amendment to its Petition on April 4, 2017, Staff will need to file new comments and recommendations on the administrative completeness of the amended Petition. Staff respectfully requests a new procedural schedule be issued for this proceeding setting forth a new deadline for a recommendation on administrative completeness.

I. CONCLUSION

For the reasons stated above, Staff respectfully requests the entry of a new procedural schedule.

⁴ Celina’s Reply to Marilee’s Response at 2 (Apr. 4, 2017).

DATED: April 5, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 5th of April, 2017, in accordance with 16 TAC § 22.74.



Ashley Nwonuma