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PETITION BY WYNNE/JACKSON, INC. §
FOR EXPEDITED RELEASE FROM §
WATER CCN NO 10846 HELD BY §
MARKOUT WATER SUPPLY §
CORPORATION IN KAUFMAN COUNTY §

BEFORE THE PUBLIC UTILITY COMMISSION
FILING CLERK

PUBLIC UTILITY COMMISSION
OF TEXAS

**WYNNE/JACKSON, INC'S RESPONSE TO
COMMISSION STAFF'S FINAL RECOMMENDATION**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

Wynne/Jackson, Inc. ("Wynne/Jackson") files this Response to the Commission Staff's Final Recommendation pursuant to the Administrative Law Judge's (the "ALJ") direction in Order No. 3. In support thereof, Petitioner respectfully shows the Public Utility Commission of Texas (the "PUC") the following:

I. THE PUC STAFF CORRECTLY DETERMINED THAT WYNNE/JACKSON'S PETITION SHOULD BE APPROVED AND GRANTED BY THE PUC

As the Staff stated in its Final Recommendation, Wynne/Jackson's Petition for the approximately 336.7 acre tract of property in Kaufman County more specifically described in the maps, deed, and digital data submitted by Wynne/Jackson (the "Property") is (1) at least 25 acres, (2) is not receiving water or sewer service, and (3) is in a county with a population of at least one million or a county adjacent to such a county as described by Tex. Water Code § 13.254(a-5) (TWC) and 16 Tex. Admin. Code § 24.113(l) (TAC). Wynne/Jackson submitted exhibits demonstrating that the Property is qualified for expedited release under Section 13.254(a-5). Therefore, by law, Wynne/Jackson is entitled to that release under TWC § 13.254(a-5).

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Accordingly, Staff correctly found that the maps, digital data and affidavit provided by Wynne/Jackson presented adequate information to demonstrate that the Property satisfies the requirements of TWC § 13.254(a-5) and 16 TAC § 24.113(l). Staff recommends that the petition for expedited release submitted to the PUC by Wynne/Jackson should be approved.

II. CONCLUSION AND PRAYER

Wynne/Jackson agrees with the Commission Staff's Final Recommendation. The Property is at least 25 acres of contiguous property, is not receiving water or sewer service, and is located within a qualifying county (Kaufman County), Wynne/Jackson is entitled to expedited release of the Property from water Certificate of Public Convenience and Necessity No. 10846. Wynne/Jackson respectfully requests that the Honorable Administrative Law Judge, prepare and submit to the Commission a proposed order consistent with the Commission Staff's Final Recommendation, and that the Commission adopt the proposed order before the end of the statutory approval deadline on January 16, 2018. Wynne/Jackson further prays for all other relief to which it is entitled by law.

Respectfully submitted,

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**ATTORNEY FOR PETITIONER
WYNNE/JACKSON, INC.**

CERTIFICATE OF SERVICE


I certify that a copy of this document will be served on all parties of record on this the December 7, 2017 in accordance with 16 TAC § 22.74

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