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PETITION OF DENTON SORRELLS, LLC TO AMEND AQUA TEXAS, INC.'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN DENTON COUNTY BY EXPEDITED RELEASE	§ § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS	PUBLIC UTILITY COMMISSION FILING CLERK
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COMMISSION STAFF'S FINAL RECOMMENDATION

COMES NOW the staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 4, files this Final Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On September 19, 2018, and as amended on December 3, 2019 Denton Sorrells, LLC filed a petition with the Commission for expedited release from the service area of Aqua Texas, Inc. under certificate of convenience and necessity (CCN) number 13201 in Denton County under Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.113(1) (which section was subsequently repealed and readopted at 16 TAC § 24.245(1)). Denton Sorrells owns a tract of land that is approximately 324 acres and is located within the boundaries of Aqua's service area. On January 5, 2019 Order No. 4 was issued and established a deadline of January 21, 2019, for Staff to file a final recommendation. Therefore, this pleading is timely filed.

II. STATUTORY APPROVAL DEADLINE

Pursuant to TWC § 13.254(a-5) and 16 TAC § 24.245(1), the Commission must render a decision on a petition for expedited release "not later than the 60th day after the date the landowner files the petition." A petition is not considered filed until it is deemed administratively complete. Applicant's petition was deemed administratively complete in Order No. 4, issued on January 7, 2019; therefore, the 60 day deadline for administrative approval is March 8, 2019.

III. FINAL RECOMMENDATION

Staff has reviewed Applicant's petition and, as supported by the attached memorandum of Elizabeth English of the Commission's Water Utilities Division (Attachment A), Staff recommends that the petition be approved. The maps and digital data submitted by Applicant provide adequate information to demonstrate that Applicant satisfies the requirements of TWC § 13.254(a-5) and 16 TAC § 24.245(l). Specifically, the petition shows that the property for which Applicant seeks expedited release is located in a qualifying county (Denton County), is not receiving water service, and that the aggregated, contiguous tracts of land make up a single property that is at least 25 acres. Applicant has shown through its petition that it meets the requirements for expedited release. Additionally, no property will be rendered useless or valueless as a result of this petition. Finally, no person intervened by the intervention deadline to dispute the petition, Therefore, Staff recommends that the petition be approved.

The final map (Attachment B) and CCN Certificate (Attachment C) are attached to this filing.

IV. CONCLUSION

For the reasons stated above, Staff respectfully recommends that Applicant's petition be approved.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney


A handwritten signature in black ink, appearing to read 'RT', is written over a horizontal line.

Rustin Tawater
State Bar No. 24110430
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7230
(512) 936-7268 (facsimile)
Rustin.Tawater@puc.texas.gov

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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
(DATE) in accordance with 16 TAC § 22.74.



Rustin Tawater