

Control Number: 48788



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**DOCKET NO. 48788**

**PETITION OF TFLP INVESTMENTS,  
LP AND TFGP PROPERTIES, LLC TO  
AMEND AQUA TEXAS, INC.'S SEWER  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY IN HAYS COUNTY  
BY EXPEDITED RELEASE**

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**PUBLIC UTILITY COMMISSION**

2019 MAR 19 PM 12: 14

**OF TEXAS**

FILED CLERK

**ORDER NO. 5**

**REQUIRING ADDITIONAL INFORMATION RELATED TO COMMISSION STAFF'S  
REQUESTED CORRECTIONS TO THE NOTICE OF APPROVAL**

On March 4, 2019, the undersigned administrative law judge (ALJ) issued the Notice of Approval (NOA) in this matter. The NOA granted the petition of TFLP Investments, LP and TFGP Properties, LLC (Petitioners) to amend Aqua Texas, Inc.'s sewer certificate of convenience and necessity (CCN) number 20867 to remove part of a tract of land owned by Petitioners from the CCN. Specifically, the NOA stated that Petitioners jointly own 68.96 contiguous acres of land in Hays County, of which 26.7 acres are located within the boundaries of Aqua Texas, Inc.'s sewer CCN number 20867. The NOA then granted Petitioners' application to release the 26.7 acres from CCN number 20867.

On March 13, 2019, Commission Staff recommended that corrections be made to the NOA. Commission Staff contends that it is not 26.7 acres, but approximately 38 acres that must be released from sewer CCN number 20867. Commission Staff gives no indication as to whether Petitioners agree with Staff's proposed corrections.

The ALJ cannot consent to the corrections requested by Commission Staff without additional information. Throughout this case, Petitioners repeatedly sought the release of 26.7 acres. The original application filed on October 16, 2018, states: "My property includes 26.7 acres of land within CCN No. 20867." A supplemental filing by Petitioners, filed on November 14, 2018, made the same assertion.<sup>1</sup>

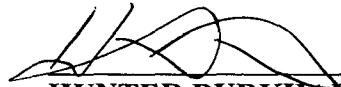
By April 2, 2019, the Petitioners must file a notice stating whether they agree that the correct acreage for expedited release is 38 acres.

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<sup>1</sup> See Exhibit B to the supplemental filing.

Signed at Austin, Texas the 19th day of March, 2019.

**PUBLIC UTILITY COMMISSION OF TEXAS**

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

**HUNTER BURKHALTER  
ADMINISTRATIVE LAW JUDGE**

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