

Control Number: 49280



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**DOCKET NO. 49280**

<b>PETITION OF PREVILLAGE, LLC TO</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>AMEND HMW SPECIAL UTILITY</b>	<b>§</b>	
<b>DISTRICT'S WATER CERTIFICATE</b>	<b>§</b>	
<b>OF CONVENIENCE AND NECESSITY</b>	<b>§</b>	<b>OF TEXAS</b>
<b>IN HARRIS COUNTY BY EXPEDITED</b>	<b>§</b>	
<b>RELEASE</b>	<b>§</b>	

**COMMISSION STAFF'S AMENDED RECOMMENDATION ON FINAL DISPOSITION**

**COMES NOW** the Commission Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this, Commission Staff's Amended Final Recommendation.

Commission Staff's Final Recommendation filed on September 25, 2019 references the memorandum of Jolie Mathis, Infrastructure Division, that was intended to be attached but was inadvertently omitted. That memorandum is attached to this filing.

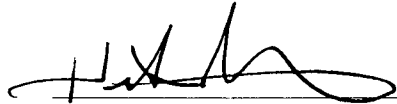
Dated: November 4, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Rachelle Nicolette Robles  
Managing Attorney

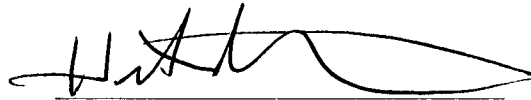


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on November 4, 2019, in accordance with 16 TAC § 22.74.



Heath D. Armstrong

## PUC Interoffice Memorandum

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**To:** Steven Gonzalez, Attorney  
Legal Division

**Thru:** Heidi Graham, Director of Water Utility Engineering  
Infrastructure Division

**From:** Jolie Mathis, Engineering Specialist  
Infrastructure Division

**Date:** September 20, 2019

**Subject:** **Docket No. 49280:** *Petition of Previllege, LLC to Amend HMW Special Utility District's Water Certificate of Convenience and Necessity in Harris County by Expedited Release*

On March 1, 2019, Previllege, LLC (Previllege or Petitioner) filed an application for expedited release from HMW Special Utility District's (HMW SUD) water Certificate of Convenience and Necessity (CCN) No. 10342 in Harris County, under Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(I). The Petitioner asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Harris County which is a qualifying county.

The Petitioner submitted adequate maps delineating the requested area for expedited release with enough detail to confirm the accurate positioning of its digital data pursuant to 16 TAC § 24.257 (formerly 16 TAC § 24.119). The map and digital data are sufficient for determining the locations of the requested release areas within HMW SUD's certificated area. Mapping Staff was able to confirm the acreage of the subject properties, and determined that the requested areas are located within HMW SUD's water CCN. Furthermore, the Petitioner provided warranty deeds confirming the Petitioner's ownership of the tracts of land within HMW SUD's certificated area. In addition, the Petitioner submitted a sworn affidavit attesting that the property was not receiving water from the CCN holder. The area being requested for expedited release is approximately 51 acres.

HMW SUD requested to intervene on April 2, 2019. HMW SUD did not identify any property that would become useless and valueless as a result of the release of CCN area. Therefore, in accordance with 16 TAC § 24.245(n)(2) and (3) (formerly 16 TAC § 24.113(n) (2) and (3)), Staff recommends that there is no useless or valueless property. If the Commission determines that there is no useless or valueless property, pursuant to 16 TAC § 24.245(n)(7) (formerly 16 TAC § 24.113(n)(7)), Staff further recommends that a compensation proceeding is not necessary.

In accordance with TWC § 13.254(a-5) and 16 TAC § 24.245(I), the Petitioners have met the Commission's requirements to allow for the release of the requested area from HMW SUD's CCN No. 10342. Therefore, Staff recommends approval of the petition. Enclosed is a final map and certificate for Commission approval.

Additionally, Staff recommends that a final map and certificate be provided to the CCN holder. Pursuant to TWC §§ 13.257 (r)-(s), Staff further recommends that HMW SUD file the following information in the Harris County Clerk's office: (1) a certified copy of the CCN map; (2) a certified copy of the amended certificate; and (3) a boundary description of the CCN service area.