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DOCKET NO. 49863

**PETITION OF ALAMO MISSION LLC
TO AMEND ROCKETT SPECIAL
UTILITY DISTRICT'S WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN ELLIS COUNTY
BY EXPEDITED RELEASE**

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PUBLIC UTILITY COMMISSION

2020 NOV 13 PM 3:42

OF TEXAS

FILED

ORDER NO. 12

ADDRESSING PENDING MOTION AND ADOPTING PROCEDURAL SCHEDULE

In this matter, Alamo Mission LLC seeks streamlined expedited release of land it owns from Rockett Special Utility District's water CCN number 10099. Rockett has been admitted as an intervenor. The abatement in this docket was lifted in Order No. 11 filed on November 12, 2020. On November 13, 2020, this matter was reassigned to the undersigned administrative law judge (ALJ).

I. Motion to Dismiss

On November 12, 2019, Rockett SUD filed a motion to dismiss this proceeding, arguing that Alamo Mission's petition should be dismissed because Rockett is indebted on a loan guaranteed by the United States Department of Agriculture (USDA) and has provided or made service available to the land owned by Alamo Mission, thereby entitling Rockett to the protections provided under 7 U.S.C. § 1926.

In light of the Order issued on November 3, 2020, in *Rockett Special Utility District v. Botkin*, Cause No. 1:19-CV-1007-RP (W. Dist. Tex), Rockett must, by December 4, 2020, file briefing as to the effect of that order on its motion to dismiss in this case. Alamo Mission must file similar briefing by December 11, 2020, and Commission Staff must do the same by December 18, 2020.

II. Procedural Schedule

The administrative law judge adopts the following procedural schedule:

Event	Date
Deadline for Rockett to file briefing mentioned above	December 4, 2020
Deadline for Alamo Mission to file briefing mentioned above	December 11, 2020
Deadline for Commission Staff to file briefing mentioned above and recommendation on final	December 18, 2020

disposition	
Sixty-day administrative approval of expedited release	January 12, 2021

In the event expedited release is granted and the petitioner and Rockett can select an agreed-upon appraiser

Deadline for petitioner and Rockett to select an agreed-upon appraiser	Within 10 days after the Commission approves expedited release
Deadline for appraiser's report	Within 70 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by the petitioner to Rockett	Within 60 days after appraiser's report
Deadline for the petitioner to pay any compensation due to Rockett	Within 90 days of Commission's final order on compensation

In the event expedited release is granted and petitioner and Rockett are unable to select an agreed-upon appraiser

Deadline for reports from the petitioner's appraiser and from Rockett's appraiser	Within 70 days after the Commission approves expedited release
Deadline for Commission Staff's appraiser's report	Within 100 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by the petitioner to Rockett	Within 60 days after Commission receives the final appraisal
Deadline for the petitioner to pay any compensation due to Rockett	Within 90 days of Commission's final order on compensation

Signed the 13th day of November 2020.

PUBLIC UTILITY COMMISSION OF TEXAS


 HUNTER BURKHALTER
 CHIEF ADMINISTRATIVE LAW JUDGE