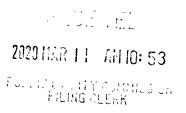


Control Number: 49924



Item Number: 13

Addendum StartPage: 0



OPEN MEETING COVER SHEET

COMMISSIONER MEMORANDUM

MEETING DATE:

MARCH 12, 2020

DATE DELIVERED:

MARCH 11, 2020

2

AGENDA ITEM NO.:

CAPTION:

Docket No. 49924 – Petition of Maple Heights Development LLC to Amend Porter Municipal Utility District's Sewer Certificate of Convenience and Necessity in Montgomery County by Expedited Release

DESCRIPTION:

Commissioner Memoranda

Distribution List: Commissioners' Offices (6) Journeay, Stephen Urban, John Paul Corona, Connie Tom Hunter (5) Rebecca Zerwas Commission Advising (9) Docket Management (9) Central Records (Open Meeting Notebook) Scheifler, Alex



DeAnn T. Walker Chairman

Arthur C. D'Andrea Commissioner

Shelly Botkin Commissioner

John Paul Urban Executive Director



Public Utility Commission of Texas

TO: Chairman DeAnn T. Walker Commissioner Arthur C. D'Andrea Commissioner Shelly Botkin

All Parties of Record (via electronic transmission)

- FROM: Alexander Scheifler At Commission Advising
- RE: Petition of Maple Heights Development LLC to Amend Porter Municipal Utility District's Sewer Certificate of Convenience and Necessity in Montgomery County by Expedited Release, Docket No. 49924, Commissioner Memo, March 12, 2020 Open Meeting, Item No. 2.
- DATE: March 11, 2020

Please find enclosed a memorandum by Chairman Walker regarding the above-referenced docket. No other commissioner will file a memorandum in this docket.

W Office 365

q:\cadm\memos\commissioners\commissioner memo cover memos\49924 dtw cover memo.docx

An Equal Opportunity Employer

Memorandum

TO: Commissioner Arthur C. D'Andrea Commissioner Shelly Botkin

FROM: Chairman DeAnn T. Walker

DATE: March 11, 2020

RE: Open Meeting of March 12, 2020 – Agenda Item No. 2 Docket No. 49924 – Petition of Maple Heights Development LLC to Amend Porter Municipal Utility District's Sewer Certificate of Convenience and Necessity in Montgomery County by Expedited Release

I recommend that the Commission make the following changes to the order in this proceeding.

A new finding of fact should be added to correct an omission of evidence that Montgomery County is a qualifying county for streamlined expedited release under Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(*l*). The Commission is required by 16 TAC § 24.245(*l*)(3) to maintain a list of approved counties for streamlined expedited release, and the Commission takes official notice that Montgomery County is on that list. Subsequent findings of fact should be renumbered.

5. <u>Montgomery County is listed as approved for streamlined expedited release on</u> <u>the Commission's website.</u>

Ordering paragraph 1 should be modified for clarity.

1. The Commission grants the petition and removes the 204 acres owned by Maple Heights from <u>the certificated area under</u> Porter MUD's sewer CCN number 20573.

Additionally, I propose delegating to the Office of Policy and Docket Management staff the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

I look forward to discussing this matter with you at the open meeting.