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PETITION OF STERLING DEASON §
O'DONNELL AND DARWIN DEASON, §
CO-TRUSTEES OF THE STERLING §
DEASON O'DONNELL DD 2012 TRUST §
UNDER AGREEMENT OF THE DD §
2014-B GRANTOR RETAINED §
ANNUITY TRUST TO AMEND §
MARILEE SPECIAL UTILITY §
DISTRICT'S CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
COLLIN COUNTY BY EXPEDITED §
RELEASE §

PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

ORDER NO. 12

FINDING AMENDED PETITION, AS SUPPLEMENTED, ADMINISTRATIVELY COMPLETE, GRANTING EXTENSION, AND ESTABLISHING PROCEDURAL SCHEDULE

This Order addresses sufficiency of the amended petition filed by Sterling Deason O'Donnell and Darwin Deason, Co-Trustees of the Sterling Deason O'Donnell DD 2012 Trust under agreement of the DD 2014-B Grantor Retained Annuity Trust, seek streamlined expedited release for a tract of land the trust owns from Marilee Special Utility District's certificate of convenience and necessity (CCN) number 10150 in Collin County. The petitioner filed an amended petition on April 27, 2021, and supplemented the amended petition on April 28, 2021.

I. Finding Application Administratively Complete

On June 9, 2021, Commission Staff recommended that the amended petition, as supplemented, be found administratively complete. The administrative law judge (ALJ) finds the petition, as supplemented, administratively complete.

II. Notice

Notice was already found to be sufficient in Order No. 5 filed on June 12, 2020.

III. Granting Extension and Establishing Procedural Schedule

Under Texas Water Code (TWC) § 13.2541, the granting of streamlined expedited release initiates an appraisal process to determine the amount of monetary compensation that may be owed by the landowner to the certificate holder for the tract of land that was released. Therefore, an

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order granting approval for streamlined expedited release is interim in nature and, in the event the requested release is approved, the docket will continue for the purpose of determining the issue of compensation.

In Order No. 11 filed on May 28, 2021, the ALJ ordered Commission Staff to make a recommendation on final disposition by June 11, 2021. On June 9, 2021, Commission asked that the deadline be extended to June 25, 2021. The motion is granted, as specified in the procedural schedule, below.

The following procedural schedule applies in this case:

Event	Date
Deadline for CCN holder and intervenors to file a response to the administratively complete petition	June 17, 2021
Deadline for Commission Staff's recommendation on final disposition	June 25, 2021
Deadline for petitioner to file a reply to CCN holder's response and Commission Staff's recommendation on final disposition	July 28, 2021
Sixty-day administrative approval of expedited release	August 9, 2021
<i>In the event expedited release is granted and the petitioner and CCN holder can select an agreed-upon appraiser</i>	
Deadline for petitioner and CCN holder 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 expedited
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to CCN holder	Within 60 days after appraiser's report
Deadline for petition to pay any compensation due to CCN holder	Within 90 days of Commission's final order on compensation
<i>In the event expedited release is granted and petitioner and CCN holder are unable to select an agreed-upon appraiser</i>	
Deadline for petitioner and CCN holder to make a filing stating that they have been unable to select an agreed-upon appraiser and affirming that they will pay half of the cost of Commission Staff's appraiser	Within 10 days after the Commission approves streamlined expedited release
Deadline for reports from petitioner's appraiser and from CCN holder'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 expedited
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to CCN holder	Within 60 days after Commission receives the final appraisal
Deadline for petitioner to pay any compensation due to CCN holder	Within 90 days of Commission's final order on compensation

Signed at Austin, Texas the 10th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE