

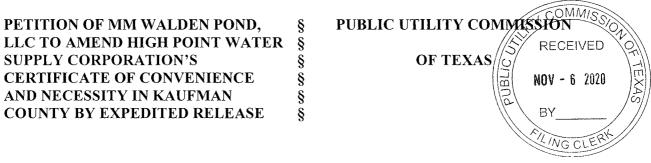
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DOCKET NO. 50442



ORDER NO. 7 UNABATING THE CASE AND ADOPTING A PROCEDURAL SCHEDULE

In this matter, MM Walden Pond, LLC seeks streamlined expedited release of land it owns from High Point Water Supply Corporation's water CCN number 10841.

In Order No. 5 filed on March 30, 2020, the administrative law judge (ALJ) abated this case due to an issue raised in this case pertaining to possible federal preemption under 7 U.S.C. § 1926(b) and in keeping with the discussion of the Commissioners at the open meeting on November 14, 2019, involving the same federal preemption issue. In Order No. 6 filed on June 2, 2020, the ALJ extended the abatement pending resolution of *Crystal Clear Special Utility District v. DeAnn Walker, et. al.*¹ and *Green Valley Special Utility District v. City of Schertz.*²

In light of the Commission's general discussion of the abatement issue at its open meeting on November 5, 2020, and in light of the current status of the federal litigation cited above, this proceeding is no longer abated.

The following procedural schedule now applies in this case:

Event	Date
Deadline for High Point to file a response to	November 20, 2020
the administratively complete petition and to	
file briefing addressing the current status of the	
federal litigation cited above and its impact on	
High Point's motion to dismiss filed on	
February 24, 2020	
Deadline for Commission Staff to file a	December 4, 2020
recommendation on final disposition and to	
file briefing addressing the current status of the	
federal litigation cited above and its impact on	
High Point's motion to dismiss filed on	
February 24, 2020	

¹ Crystal Clear Special Utility District v. DeAnn Walker, et. al., No. 20-50043 (5th Cir. filed Jan. 16, 2020).

² Green Valley Special Utility District. v. City of Schertz, No. 18-51092 (5th Cir. filed Dec. 31, 2018).

Deadline for petitioner to file a reply to both High Point's response and Commission Staff's recommendation on final disposition, and to file briefing addressing the current status of the federal litigation cited above and its impact on High Point's motion to dismiss filed on February 24, 2020	December 11, 2020
Sixty-day administrative approval of expedited release	January 5, 2021
In the event expedited release is granted and the petitioner and High Point can select an	
agreed-upon appraiser	······
Deadline for petitioner and High Point 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 High Point	Within 60 days after appraiser's report
Deadline for the petitioner to pay any compensation due to High Point	Within 90 days of Commission's final order on compensation
In the event expedited release is granted and petitioner and High Point are unable to select	
an agreed-upon appraiser	
Deadline for reports from the petitioner's appraiser and from High Point'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 High Point	Within 60 days after Commission receives the final appraisal
Deadline for the petitioner to pay any compensation due to High Point	Within 90 days of Commission's final order on compensation

Signed the 6th day of November 2020.

PUBLIC UTILITY COMMISSION OF TEXAS

HUNPER BURKHALTER

CHIEF ADMINISTRATIVE LAW JUDGE

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