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DOCKET NO. 50442

**PETITION OF MM WALDEN POND,
LLC TO AMEND HIGH POINT WATER
SUPPLY CORPORATION'S
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN KAUFMAN
COUNTY BY EXPEDITED RELEASE** §
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PUBLIC UTILITY COMMISSION

2020 FEB 16 PM 3:06
OF TEXAS

PUBLIC UTILITY COMMISSION
FILED CLERK

**ORDER NO. 2
FINDING PETITION ADMINISTRATIVELY COMPLETE AND NOTICE
SUFFICIENT, AND ESTABLISHING PROCEDURAL SCHEDULE**

This Order addresses the January 13, 2020, petition of MM Walden Pond, LLC for expedited release of approximately 214 acres of land within the boundaries of High Point Water Supply Corporation's water certificate of convenience and necessity number 10841 in Kaufman County.

On February 12, 2020, Commission Staff recommended that the petition be found administratively complete and notice be found sufficient. The administrative law judge (ALJ) finds the petition administratively complete and notice sufficient.

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

In light of the applicability of the recent statutory amendments, the following procedural schedule applies in this case:

| Event | Date |
|---|-------------------|
| Deadline for High Point WSC to file a response to the petition | February 24, 2020 |
| Deadline for Commission Staff's recommendation on final disposition | March 4, 2020 |
| Sixty-day administrative approval of expedited release | April 14, 2020 |

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| <i>In the event expedited release is granted and MM Walden Pond and High Point WSC can select an agreed-upon appraiser</i> | |
| Deadline for MM Walden Pond and High Point WSC 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 MM Walden Pond to High Point WSC | Within 60 days after appraiser's report |
| Deadline for MM Walden Pond to pay any compensation due to High Point WSC | Within 90 days of Commission's final order on compensation |
| <i>In the event expedited release is granted and MM Walden Pond and High Point WSC are unable to select an agreed-upon appraiser</i> | |
| Deadline for reports from MM Walden Pond's appraiser and from High Point WSC'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 MM Walden Pond to High Point WSC | Within 60 days after Commission receives the final appraisal |
| Deadline for MM Walden Pond to pay any compensation due to High Point WSC | Within 90 days of Commission's final order on compensation |

Signed at Austin, Texas the 14th day of February 2020.

PUBLIC UTILITY COMMISSION OF TEXAS


HUNTER BURKHALTER
ADMINISTRATIVE LAW JUDGE