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DOCKET NO. 51044

**PETITION OF FCS LANCASTER, LTD. §
TO AMEND ROCKETT SPECIAL §
UTILITY DISTRICT'S CERTIFICATE §
OF CONVENIENCE AND NECESSITY §
IN DALLAS COUNTY BY EXPEDITED §
RELEASE §**

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**ORDER NO. 6
FINDING PETITION ADMINISTRATIVELY COMPLETE AND NOTICE
SUFFICIENT; AND ESTABLISHING PROCEDURAL SCHEDULE**

This Order addresses the July 13, 2020, petition of FCS Lancaster, Ltd. to amend Rockett Special Utility District's water certificate of convenience and necessity (CCN) in Dallas County by streamlined expedited release, and the sufficiency of the petition and notice.

On November 18, 2020, Commission Staff filed its recommendation regarding the sufficiency of the petition and notice.

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, if streamlined expedited release is approved, the docket will continue for the purpose of determining the issue of compensation.

The following procedural schedule applies in this case:

Event	Date
Deadline for Rockett to file briefing as to the effect of the Order issued on November 3, 2020, in <i>Rockett Special Utility District v. Botkin</i> , Cause No. 1:19-CV-1007-RP (W. Dist. Tex) on its motion to dismiss	November 20, 2020
Deadline for FCS Lancaster to file similar briefing	December 4, 2020
Deadline for Commission Staff to file similar briefing	December 18, 2020
Deadline for Rockett and intervenors to file a response to administratively complete petition	December 28, 2020
Deadline for Commission Staff's recommendation on final disposition	January 4, 2021

Deadline for petitioner to file a reply to both Rockett's response and Commission Staff's recommendation on final disposition	January 11, 2021
Sixty-day administrative approval of expedited release	January 19, 2021 ¹
<i>In the event expedited release is granted and the petitioner and Rockett can select an agreed-upon appraiser</i>	
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
<i>In the event expedited release is granted and petitioner and Rockett are unable to select an agreed-upon appraiser</i>	
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 at Austin, Texas the 19th day of November 2020.

PUBLIC UTILITY COMMISSION OF TEXAS


 HUNTER BURKHALTER
 CHIEF ADMINISTRATIVE LAW JUDGE

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¹ The 60-day administrative approval deadline is January 18, 2021. However, this date falls on Martin Luther King Jr. Day. The deadline moves to the next day the Commission is open for business, Tuesday, January 19, 2021.