



Control Number: 51158



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DOCKET NO. 51158

**PETITION OF JOHNSTON &
ASSOCIATES, LLP AND FRANK
CARVALHO TO AMEND MOUNTAIN
PEAK SPECIAL UTILITY DISTRICT'S
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN JOHNSON
COUNTY BY STREAMLINED
EXPEDITED RELEASE**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**



COMMISSION STAFF'S SUPPLEMENTAL FINAL RECOMMENDATION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 5, files this Supplemental Final Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On August 11, 2020, Johnston Legal Group (Johnston) and Frank Carvalho (Carvalho) (collectively, Petitioners) filed a petition for streamlined expedited release to amend Mountain Peak Special Utility District's (MPSUD) water Certificate of Convenience and Necessity (CCN) No. 10908 in Johnson County, pursuant to Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h) (Petition). Petitioners assert that the tract of land in question is at least 25 contiguous acres, is not receiving water service, and is located in Johnson County, which is a qualifying county.

On September 9, 2020, the administrative law judge (ALJ) filed Order No. 5, finding the amended application administratively complete and the notice sufficient, and establishing a deadline of October 27, 2020 for Staff to file a recommendation on the final disposition of the application. Staff timely filed its Recommendation on Final Disposition recommending approval of the application.

II. SUPPLEMENTAL FINAL RECOMMENDATION

Staff's Recommendation on Final Disposition, filed on October 27, 2020 stated that copies of the final map and certificate consented to by the Petitioners were attached to the pleading. However, Staff inadvertently omitted the attachments from the filing. Accordingly,

Staff is filing this Supplemental Final Recommendation to provide the final map and certificate. Staff continues to recommend that the application be approved.

III. CONCLUSION

For the reasons stated above, Staff provides the attached final map and certificate and recommends approval of the application.

Dated: December 21, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

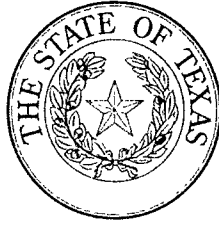
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**DOCKET NO. 51158
CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on December 21, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Justin C. Adkins
Justin C. Adkins



Public Utility Commission of Texas

By These Presents Be It Known To All That

Mountain Peak Special Utility District

having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 10908

to provide continuous and adequate water utility service to that service area or those service areas in Johnson County as by final Order or Orders duly entered by this Commission, which Order resulting from Docket No. 51158 is on file at the Commission offices in Austin, Texas; and is a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty Mountain Peak Special Utility District, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the _____ day of _____ 2020.

Mountain Peak Special Utility District
Portion of Water CCN No. 10908
PUC Docket No. 51158
Petition by Johnston & Associates, LLP and Frank Carvalho to Amend
Mountain Peak Special Utility District's CCN by Expedited Release in Johnson County



Area Released

Johnston & Associates, LLP and Frank Carvalho Property Boundary

CCN
10908

CCN
13201



Water CCN

- 10908 - Mountain Peak SUD
- 13201 - Aqua Texas Inc

- Area Released
- Property Boundary

