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PUC DOCKET NO. 51166



PETITION BY COLORADO RIVER PROJECT, LLC. FOR EXPEDITED RELEASE FROM CCN NO. 11978 AND CCN NO. 20650 NOW HELD BY SWWC UTILITIES, INC. d/b/a HORNSBY BEND UTILITY § BEFORE THE PUBLIC UTILITY COMMISSION § OF TEXAS

COLORADO RIVER PROJECT, LLC's FIRST AMENDED PETITION FOR STREAMLINED EXPEDITED RELEASE BY LANDOWNER FROM WATER AND SEWER CERTIFICATES OF CONVENIENCE AND NECESSITY

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Colorado River Project, LLC ("Petitioner"), pursuant to Texas Water Code § 13.2541 and Rule 24.245 of the PUC's Rules found at 16 Texas Administrative Code § 24.245 and, in support thereof, would respectfully show the following:

I. APPLICABLE REGULATIONS

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and is not receiving water or sewer service may petition for expedited release of the area from a CCN. TEX. WATER CODE ANN. § 13.2541(b). For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract "is entitled to that release." Id. The PUC rule provides the same, and it recognizes that Travis County is a county in which owners of at least 25 acres are entitled to an expedited release. See 16 TEX. ADMIN. CODE § 24.245. Under Section 13.2541(c), the PUC "shall grant the petition not later than the 60th day after the date the landowner files the petition."

II. REQUEST FOR EXPEDITED RELEASE

Petitioner owns 5 tracts of land contained in the same warranty deed, which together is approximately 2,122.27 acres of property in Travis County of which Petitioner seeks the streamlined expedited release of only Tract 1 (Property). The Property (also referred to as “Parcel 1” on mapping) is within the boundaries of water CCN No. 11978 and sewer CCN No. 20650 held by SWWC Utilities, Inc. d/b/a Hornsby Bend Utility (“Hornsby”). The Property does not receive service from any water or sewer provider. Petitioner hereby incorporates all exhibits heretofore filed by it in the afore referenced matter including all maps showing the location of the Property, along with the digital data previously filed by Petitioner, and the deed showing ownership of the Property.

III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541(b) entitles Petitioner to an expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Travis County. Under Section 13.2541(c), the PUC should grant this First Amended Petition no later than the 60th day after the date of filing. Petitioner respectfully requests that the PUC grant this First Amended Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Property that is within the boundaries of water CCN No. 11978 and Sewer CCN No. 20650.

Respectfully submitted,

/S/ John Scott

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CERTIFICATE OF SERVICE

I hereby 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 October 9, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/S/ John Scott