

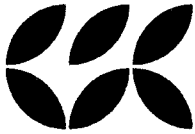


Control Number: 51166



Item Number: 58

Addendum StartPage: 0



FRANKLIN
SCOTT
CONWAY, LLC

1629 K Street, NW
Suite 300
Washington, DC 20006
202.688.3200

1919 McKinney Avenue
Suite 100
Dallas, TX 75201

franklinscottconway.com

RECEIVED
2021 MAR 26 PM 3:24
PUBLIC UTILITY COMMISSION
FILING CLERK

March 26, 2021

VIA E-FILING

The Honorable Hunter Burkhalter
Administrative Law Judge
Public Utility Commission
1701 N. Congress Ave.
Austin, Texas 78711-3326

Re: *Petition of Colorado River Project, LLC to Amend SWWC Utilities, Inc. dba Hornsby Bend Utility's Certificate of Convenience and Necessity in Travis County by Expedited Release, PUC Docket No. 51166*

Dear Judge Burkhalter:

Colorado River Project, LLC ("CRP") has reviewed the deadlines for each party to produce appraisals to the Public Utility Commission ("PUC") under the streamlined expedited release process and requests clarification as to the actual deadline for the submittal of each parties' appraisal.

The statute governing the appraisal portion of the streamlined expedited release process prescribes that if the parties are unable to agree on an independent appraiser, each party shall engage their own appraisers, and each appraisal *shall be submitted* to the utility commission *within 70 calendar days after* the date on which the utility commission *approves the petition*. (emphasis added) Tex. Water Code § 13.2541(i); 16 T.A.C. § 24.245(i)(2)(B). If the former CCN holder fails to file an appraisal within this timeframe, "the amount of compensation to be paid will be deemed to be zero." 16 T.A.C. § 24.245(i)(4).

The PUC signed the Order granting CRP's petition for streamlined expedited release on January 14, 2021, thereby commencing the procedure for determining the amount of compensation to be awarded to SWWC Utilities Inc. ("SWWC"), if any. The statute required that CRP and SWWC file their appraisals within 70 calendar days from January 14, 2021.

Therefore, CRP seeks clarification from you on two matters:

- 1) That the deadline for both parties to file their appraisals was March 25, 2021; and
- 2) That the Texas Water Code requires each appraisal be submitted within 70 calendar days, without exception.

Thank you for your attention to this matter.

Sincerely,

/John Scott/

John Scott

58