



Control Number: 51249



Item Number: 5

Addendum StartPage: 0



**DOCKET NO. 51249**

**PETITION OF CROOK ROSE, INC. TO §  
AMEND LINDALE RURAL WATER §  
SUPPLY CORPORATION'S §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY IN SMITH COUNTY §  
BY EXPEDITED RELEASE §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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

This Order addresses the September 3, 2020 petition of Crook Rose, Inc. to amend Lindale Rural Water Supply Corporation's water certificate of convenience and necessity (CCN) in Smith County by streamlined expedited release, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h).

On October 5, 2020, Commission Staff recommended that the petition be found administratively complete and notice be found sufficient. Lindale Rural contends that the application is not administratively complete. The administrative law judge finds the petition administratively complete and notice sufficient.

Under the provisions of 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:

<b>Event</b>	<b>Date</b>
Deadline for Lindale Rural and intervenors to file a response to the administratively complete petition	November 5, 2020
Deadline for Commission Staff's recommendation on final disposition	November 19, 2020
Deadline for petitioner to file a reply to both Lindale Rural's response and Commission Staff's recommendation on final disposition	November 26, 2020

Sixty-day administrative approval of expedited release	December 7, 2020 <sup>1</sup>
<b><i>In the event expedited release is granted and the petitioner and Lindale Rural can select an agreed-upon appraiser</i></b>	
Deadline for petitioner and Lindale Rural 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 Lindale Rural	Within 60 days after appraiser's report
Deadline for the petitioner to pay any compensation due to Lindale Rural	Within 90 days of Commission's final order on compensation
<b><i>In the event expedited release is granted and petitioner and Lindale Rural are unable to select an agreed-upon appraiser</i></b>	
Deadline for reports from the petitioner's appraiser and from Lindale Rural'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 Lindale Rural	Within 60 days after Commission receives the final appraisal
Deadline for the petitioner to pay any compensation due to Lindale Rural	Within 90 days of Commission's final order on compensation

Service of pleadings is typically governed by 16 TAC § 22.74. However, as long as the Commission's Second Order entered in Docket No. 50664,<sup>2</sup> which suspended the service requirements found in 16 TAC § 22.74, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by e-mail, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

<sup>1</sup> The sixty-day deadline for approval is December 5, 2020. December 5, 2020 is, however, a Saturday. Therefore, under 16 TAC §22.4(a), the deadline shifts to the following Monday, December 7, 2020.

<sup>2</sup> See *Issues Related the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (July 16, 2020).

**Signed at Austin, Texas the 6th day of October 2020.**

PUBLIC UTILITY COMMISSION OF TEXAS



---

HUNTER BURKHALTER  
CHIEF ADMINISTRATIVE LAW JUDGE