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PUBLIC UTILITY COMMISSION
FILING CLERK

PETITION OF WEST BASTROP §
VILLAGE, LTD. TO AMEND AQUA §
WATER SUPPLY CORPORATION'S §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN BASTROP §
COUNTY BY EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION
OF TEXAS

**NOTICE OF APPROVAL
MAKING A DETERMINATION ON COMPENSATION**

In this Notice of Approval, the Commission determines that, for the streamlined expedited release granted in this docket, West Bastrop Village, Ltd. owes no compensation to Aqua Water Supply Corporation under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from Aqua WSC's service area under water certificate of convenience and necessity (CCN) number 10294. The Commission's determination on compensation is based on an agreement between West Bastrop and Aqua WSC.

I. Findings of Fact

The Commission makes the following findings of fact.

Petitioner

1. West Bastrop is a Texas limited partnership registered with the Texas secretary of state under filing number 801402568.

CCN Holder

2. Aqua WSC is a Texas nonprofit corporation registered with the Texas secretary of state under filing number 25894701 and operating under chapter 67 of the Texas Water Code.
3. Aqua WSC holds CCN number 10294 that obligates it to provide retail water service in its certificated service area in Bastrop County.

Petition

4. On October 16, 2020, the petitioner filed a petition for streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 10294.

5. In Order No. 3 filed on January 14, 2021, the administrative law judge (ALJ) granted the petition and released the petitioner's tract of land from the CCN holder's certificated service areas.
6. In Order No. 2 filed on December 9, 2020, the ALJ stated that, if streamlined expedited release was granted, this docket would continue for the purpose of determining compensation, and set a schedule for making that determination.

Appraisers and Appraisals

7. No appraisers are needed to determine compensation in this docket because of the agreement between the petitioner and the CCN holder.

Compensation

8. On October 16, 2020, the petitioner and the CCN holder included with the application a joint notice of agreement regarding compensation, which stated that no compensation is owed to the CCN holder.
9. The petitioner and the CCN holder have agreed that no compensation should be paid to the CCN holder.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority to determine the amount of compensation to be awarded after granting streamlined expedited release under TWC §§ 13.254 and 13.2541.
2. No notice is required to determine the amount of compensation.
3. No opportunity for a hearing to determine compensation for streamlined expedited release is provided under TWC § 13.2541 or 16 Texas Administrative Code (TAC) § 24.245(h)(7).
4. The determination on compensation under TWC § 13.2541 and 16 TAC § 24.245(i) is not a contested case.
5. Under 16 TAC § 24.245(i)(1), if the former CCN holder and landowner agree on the amount of compensation to be paid, they may forego the appraisal process and make a joint filing with the Commission stating the amount of the compensation to be paid.

6. No compensation is owed by West Bastrop to Aqua WSC for the release under TWC § 13.2541.
7. The Commission processed the petition in accordance with the TWC and Commission rules.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. No compensation is owed by West Bastrop to Aqua WSC for the streamlined expedited release.
2. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 10th day of February 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE