



Control Number: 51455



Item Number: 16

Addendum StartPage: 0

DOCKET NO. 51455

RECEIVED

PETITION OF CLAY ROAD 628	§	PUBLIC UTILITY COMMISSION
DEVELOPMENT, LP TO AMEND T&W	§	
WATER SERVICE COMPANY'S	§	STATE OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN MONTGOMERY	§	
COUNTY BY EXPEDITED RELEASE	§	

ORDER NO. 5
FINDING PETITION ADMINISTRATIVELY COMPLETE AND NOTICE
SUFFICIENT, AND ESTABLISHING PROCEDURAL SCHEDULE

This Order addresses sufficiency of the amended petition and revised amended petition filed by Clay Road 628 Development, LP on March 2 and 26, 2021, respectively. Clay Road 628 seeks release of a portion of its property from T&W Water Service Company's water certificate of convenience and necessity (CCN) number 12892 in Montgomery County.

I. Finding Application Administratively Complete

On April 1, 2021, Commission Staff recommended that the amended petition and revised amended petition be found administratively complete. The administrative law judge (ALJ) finds the amended petition and revised amended petition administratively complete.

II. Notice

The administrative law judge finds the notice sufficient.

III. Establishing Procedural Schedule

Under Texas Water Code (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, an order granting approval for streamlined expedited release is interim in nature and, in the event the requested release is approved, the docket will continue for the purpose of determining the issue of compensation.

The following procedural schedule applies in this case:

Event	Date
Deadline for T&W Water to file a response to the administratively complete petition	April 16, 2021
Deadline for Commission Staff's recommendation on final disposition	April 23, 2021
Deadline for petitioner to file a reply to T&W Water's response and Commission Staff's recommendation on final disposition	April 30, 2021
Sixty-day administrative approval of expedited release	June 4, 2021
<i>In the event expedited release is granted and the petitioner and T&W Water can select an agreed-upon appraiser</i>	
Deadline for petitioner and T&W Water 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 expedited
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to T&W Water	Within 60 days after appraiser's report
Deadline for petition to pay any compensation due to the T&W Water	Within 90 days of Commission's final order on compensation
<i>In the event expedited release is granted and petitioner and T&W Water are unable to select an agreed-upon appraiser</i>	
Deadline for reports from petitioner's appraiser and from T&W Water'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 expedited
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to T&W Water	Within 60 days after Commission receives the final appraisal
Deadline for petitioner to pay any compensation due to T&W Water	Within 90 days of Commission's final order on compensation

Signed at Austin, Texas the 5th day of April 2021.

PUBLIC UTILITY COMMISSION OF TEX



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE

q \cadm\doCKET management\water\ccn_expedited\51xxx\51455-5 admin complete_proc sched docx