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DOCKET NO. 51531

APPLICATION OF JLM 717 KAUFMAN LP TO AMEND THE CITY OF CRANDALL'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN KAUFMAN COUNTY BY EXPEDITED RELEASE §
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PUBLIC UTILITY COMMISSION OF TEXAS

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COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

On November 17, 2020, JLM 717 Kaufman LP (Kaufman LP) filed a petition for expedited release of approximately 45.8-acre portion of a 716.699 of land within the boundaries of the City of Crandall's water certificate of convenience and necessity (CCN) number 11295 in Tarrant County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). The Kaufman LP assert that the land is at least 25 contiguous acres, is not receiving water service, and is located in Kaufman County, which is a qualifying county.

On February 22, 2021, the administrative law judge (ALJ) filed Order No. 5 establishing a deadline of March 11, 2021, for Staff of the Public Utility Commission of Texas (Staff) to file a supplemental recommendation on administrative completeness. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Reggie Tuvilla in the Commission's Infrastructure Division, Staff recommends that the application be found administratively incomplete. Specifically, Staff has noted deficiencies in mapping content.

II. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for the continued processing of this application:

Event	Date
Deadline for Kaufman LP to file information to cure deficiencies identified in Staff's memorandum	April 12, 2021
Deadline for Commission Staff to file a supplemental recommendation on sufficiency of the application and proposed procedural schedule	May 12, 2021

III. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation.

Dated: March 11, 2021

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

Rashmin J. Asher
Managing Attorney

/s/ M. Justin Ackley
M. Justin Ackley
State Bar No. 24121354
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)
M.Justin.Ackley@puc.texas.gov

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CERTIFICATE OF SERVICE

I 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 March 11, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ M. Justin Ackley
M. Justin Ackley

Public Utility Commission of Texas

Memorandum

TO: Justin Ackley, Attorney
Legal Division

FROM: Reginald Tuvilla, Senior Infrastructure Analyst
Infrastructure Division

DATE: March 11, 2020

RE: Docket No. 51531 – *Petition of JLM 717 Kaufman LP to Amend the City of Crandall's Certificate of Convenience and Necessity in Kaufman County by Expedited Release*

JLM 717 Kaufman LP (Kaufman LP) (Petitioner) filed a petition for expedited release from the City of Crandall's (Crandall) water certificate of convenience and necessity (CCN) number 11295 in Kaufman County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Kaufman LP asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Kaufman County, which is a qualifying county.

Kaufman LP submitted a sworn affidavit attesting that the property was not receiving water from Crandall and a warranty deed confirming Kaufman's ownership of the tract of land.

The petition also includes a statement indicating a copy of the petition was sent via certified mail to Crandall on the date the petition was filed with the Commission.

Based on the mapping review by Tracy Montes, Infrastructure Division, and my technical and managerial review of the information provided by Kaufman LP, I recommend the petition be deemed administratively incomplete and not accepted for filing due to deficient maps and digital data.

The digital data filed on March 5, 2021 is deficient. The warranty deed for the subject property includes 716.7 acres of which 1-acre was removed, since it was owned by Loudon Flay. Therefore, the warranty deed includes 715.7 acres that are owned by JLM 717 Kaufman LP. The maps state the subject property includes 715.7 acres, whereas the digital data filed for the subject property includes approximately 715.2 acres. The digital data must include approximately 715.7 acres as indicated in the warranty deed.

Applicant must submit the following item to resolve the mapping deficiency:

- Digital mapping data for the subject property, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

Staff recommends the Petitioner obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes at (512)936-7187 or tracy.montes@puc.texas.gov to resolve the mapping deficiencies.