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PUC DOCKET NO. 51531

FILED

2021 MAR 24 AM 9:17

BEFORE THE

PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION

OF TEXAS

PETITION OF JLM 717 KAUFMAN LP, §
TO AMEND THE CITY OF §
CRANDALL'S WATER CERTIFICATE §
OF CONVENIENCE AND NECESSITY §
IN KAUFMAN COUNTY BY EXPEDITED §
RELEASE §
§

PETITIONER'S THIRD SUPPLEMENTAL FILING

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, JLM 717 Kaufman, LP ("Petitioner"), and hereby files with the Public Utility Commission of Texas ("Commission") Petitioner's Third Supplemental Filing ("Supplement") in the above-captioned matter. In support thereof, Petitioner would respectfully show as follows:

I. BACKGROUND

On November 17, 2020, Petitioner filed with the Commission the Petition of JLM 717 Kaufman, LP, to Amend the City of Crandall's Water Certificate of Convenience and Necessity in Kaufman County by Expedited Release ("Petition"), identifying by Warranty Deed 717 acres¹, of 45.8 acres of which Petitioner sought the streamlined expedited release ("SER") from the City of Crandall's ("Crandall") certificate of convenience and necessity ("CCN") No. 11295, under Tex. Water Code ("TWC") § 13.2541 and 16 Tex. Admin. Code ("TAC") § 24.245(h).

On December 11, 2020, Crandall moved to intervene; and, on December 21, 2020, the Commission Administrative Law Judge ("ALJ") granted Crandall's intervention.

¹ As discussed below, Petitioner withdraws from the Petition a one-acre tract out of the 717 acres sought for decertification, for a total of 716 acres to be decertified.

On January 4, 2021, Commission Staff entered a recommendation “that the petition be deemed administratively incomplete and not accepted for filing due to deficient maps and digital data.”

On January 5, 2021, the ALJ entered Order No. 3, therein finding the Petition administratively incomplete and providing Petitioner until January 26, 2021, to supplement the Petition and to cure the deficiencies identified in Commission Staff’s January 4, 2021, memorandum (the “Memorandum”).

On January 26, 2021, Petitioner submitted an Unopposed Motion for Extension of Time, therein requesting an additional seven (7) days from January 26, 2021, in order to finalize supplemental mapping and to address a one-acre parcel located within the 717-acre tract described in the Warranty Deed that Petitioner submitted as Exhibit “A” to the Petition.

On January 27, 2021, the ALJ entered Order No. 4, therein granting the requested extension of time to February 2, 2021.

On February 2, 2021, Petitioner supplemented the Petition with additional mapping addressing the deficiencies identified in the Memorandum. Petitioner’s supplemental filing contained a scrivener’s error; therefore, Petitioner withdrew the filing and submitted a corrected filing on February 3, 2021.

On February 18, 2021, Commission Staff submitted a request for extension of time, until March 11, 2021, to review Petitioner’s supplemental filing. On February 22, 2021, in Order No. 5, the ALJ granted that request.

On March 4 and March 5, 2021, Petitioner filed supplemental mapping. However, on March 11, 2021, Commission Staff filed a recommendation, which included a technical memorandum (the “March 11 Memorandum”), that the Petition again be found administratively incomplete. On March 12, 2021, the ALJ entered Order No. 6, finding the Petition administratively incomplete and granting Petitioner until April 12, 2021, to cure the deficiencies identified in the March 11 Memorandum.

Therefore this pleading is timely filed.

II. SUPPLEMENTAL INFORMATION

Subsequent to the preceding events, Petitioner and Commission Staff have worked together diligently to address and remedy the mapping deficiencies identified in the March 11 Memorandum. Specifically, Commission Staff found that, “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.” The March 11 Memorandum also provided that Petitioner must submit “[d]igital 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).”

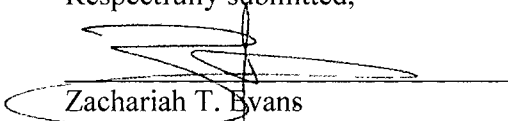
Commission Staff have reviewed the attached supplemental mapping and are in agreement that they address the deficiencies.

The supplemental mapping includes a revised vicinity map (Exhibit A), revised detailed map (Exhibit B), and, corresponding shape files (Exhibit C).

III. CONCLUSION AND PRAYER

Petitioner respectfully requests that the Commission grant the Petition and issue an order releasing the subject 45.8 acres from the City of Crandall’s CCN No. 11295.

Respectfully submitted,



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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the above and foregoing document was served on the party indicated below as required by order or in accordance with 16 TEX. ADMIN. CODE § 22.74.

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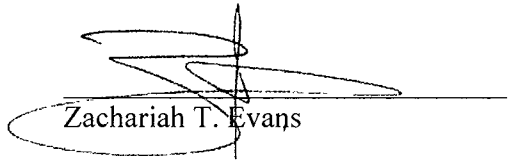
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
KAUFMAN TRACT CCN DE-CERTIFICATION

VICINITY EXHIBIT

KAUFMAN COUNTY
CITY OF CRANDALL ETJ
CITY OF CRANDALL CCN
TALTY WSC CCN

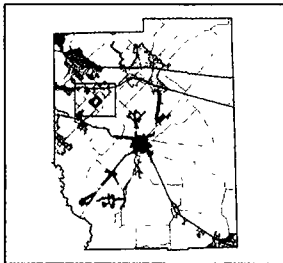
MARCH 2021

Legend

-  KAUFMAN TRACT
-  COUNTY LINE
-  CITY OF CRANDALL
-  MAJOR ROADS
-  RAILROAD

SOURCES: PARCELS - KAUFMAN COUNTY APPRAISAL
DISTRICT CITY LIMITS - CITY OF CRANDALL, NCTCOG

0 0.45 0.9 Miles

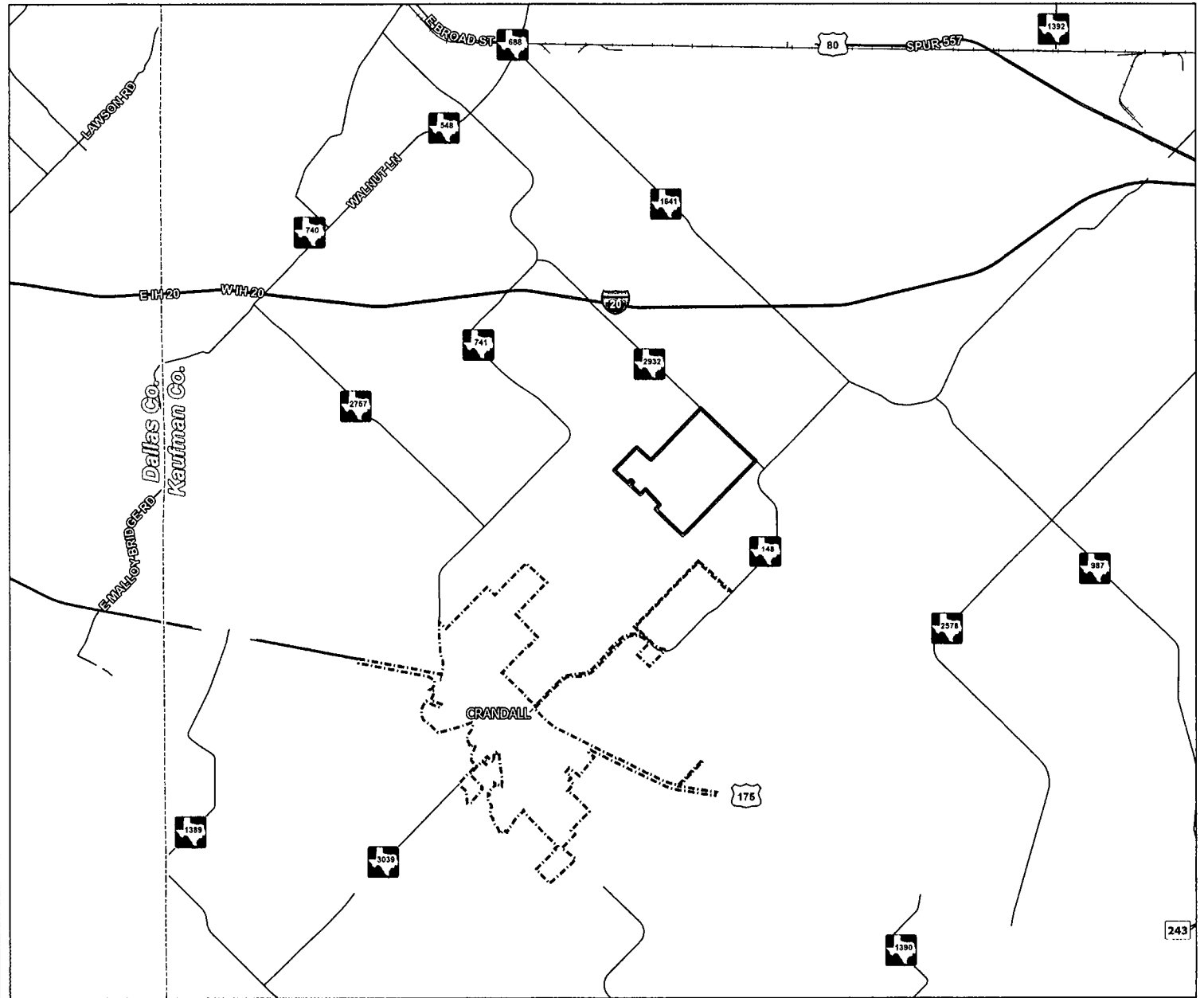


KAUFMAN COUNTY

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KAUFMAN TRACT

CCN DE-CERTIFICATION

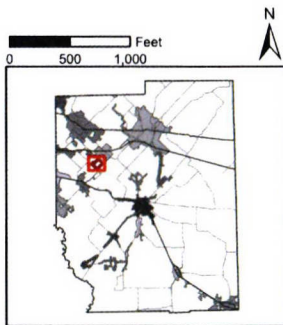
KAUFMAN COUNTY
CITY OF CRANDALL ETJ
CITY OF CRANDALL CCN
TALTY WSC CCN

MARCH 2021

Legend

-  KAUFMAN TRACT
-  INTERNAL OUT PARCEL
-  FEMA FLOODPLAIN
-  CHANNEL
-  MAJOR ROADS

SOURCES: FLOODPLAIN - CHANNEL - FEMA



KAUFMAN COUNTY

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