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PUBLIC UTILITY COMMISSION
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PUC DOCKET NO. 51531

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

**PETITIONER'S RESPONSE TO COMMISSION STAFF'S
RECOMMENDATION ON FINAL DISPOSITION**

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 Response to Commission Staff's Recommendation on Final Disposition ("Response") 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. On March 24, 2021, Petitioner filed a third supplement to the Petition.

On June 14, 2021, Crandall filed a motion to withdraw from these proceedings, therein notifying the Commission that Petitioner and Crandall have “resolved all issues with respect to the [P]etition through a settlement agreement.” On June 15, 2021, the ALJ granted Crandall’s motion to withdraw.

On June 18, 2021, the ALJ filed Order No. 9, granting Commission Staff’s request for an extension of time and directing Staff to file a recommendation on final disposition by June 23, 2021. The Order also directed Petitioner to file a reply by June 30, 2021, to both Commission Staff’s recommendation on final disposition and Crandall’s response. With Crandall having withdrawn from the proceedings, this motion is timely filed.

On June 23, 2021, Commission Staff filed their Recommendation on Final Disposition, there in recommending that the Petition be approved.

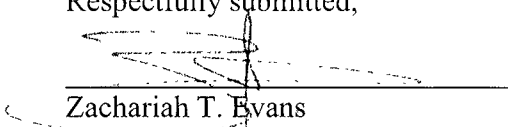
II. PETITIONER CONCURS WITH STAFF’S RECOMMENDATION

Crandall and Petitioner have entered into a settlement agreement, which Petitioner filed in these proceedings as Exhibit D to Petitioner’s February 3, 2021, Supplemental Filing, with respect to compensation from Petitioner to Crandall for the area Petitioner seeks to decertify. Given this fact and Staff’s favorable recommendation that the Petition be approved, Petitioner hereby respectfully requests that the Commission, or, if appropriate, the ALJ, approve the Petition.

III. CONCLUSION AND PRAYER

Petitioner respectfully requests that the Commission, or, if appropriate, the ALJ, 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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PUBLIC UTILITY COMMISSION OF TEXAS

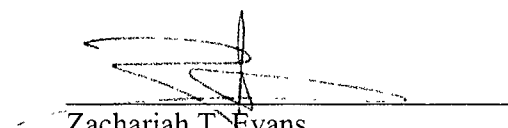
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