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DOCKET NO. 51545

PETITION OF COMPASS	§	PUBLIC UTILITY COMMISSION
DATACENTERS DFW III, LLC TO	§	
AMEND ROCKETT SPECIAL UTILITY	§	OF TEXAS
DISTRICT'S CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
ELLIS COUNTY BY EXPEDITED	§	
RELEASE		

**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, Compass Datacenters DFW III, LLC owes no compensation to Rockett Special Utility District under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from Rockett SUD's certificated service under water certificate of convenience and necessity (CCN) number 10099. The Commission's determination on compensation is based on the fact that Rockett SUD failed to timely file an appraisal report.

I. Findings of Fact

The Commission makes the following findings of fact.

Petitioner

1. Compass Datacenters is a Delaware limited liability company registered with the Texas secretary of state under filing number 803462401.

CCN Holder

2. Rockett SUD is a special utility district operating under chapter 65 of the TWC.
3. Rockett SUD holds water CCN number 10099 that obligates it to provide retail water service in its certificated service area in Ellis County.

Petition

4. On November 20, 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 10099.
5. On January 14, 2022, the Commission issued an Order on Rehearing in which the Commission released the tract of land from the CCN holder's certificated service area.

6. Ordering paragraph seven of the Order on Rehearing stated that the proceeding to determine the amount of compensation to be awarded to the CCN holder, if any, commenced with the filing of the Order on Rehearing in accordance with the schedule adopted in Order No. 6.
7. In Order No. 9 filed on January 24, 2022, the administrative law judge (ALJ) clarified that the compensation phase in this case commenced with the issuance of the Order on Rehearing on January 14, 2022.

Appraiser and Appraisals

8. On December 20, 2021, the petitioner filed the appraisal report of Dan Jackson, of Willdan Financial Services.
9. On March 24, 2022, the petitioner confirmed that it was continuing to utilize Mr. Jackson's report as its appraisal report.
10. The CCN holder did not file an appraisal report.

Compensation

11. Because the CCN holder did not file an appraisal report within 70 days after the Commission granted release, no compensation is owed for the release.

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)(2)(B), if the petitioner and CCN holder cannot agree on the amount of compensation and cannot agree on an independent appraiser, they must each file their own appraisal report within 70 days after the Commission grants streamlined expedited release.

6. Under 16 TAC § 24.245(i)(4), if the CCN holder fails to file an appraisal report within 70 days after the Commission granted streamlined expedited release, the amount of compensation due is deemed to be zero.
7. No compensation is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.
8. 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 the petitioner to the CCN holder 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 8th day of April 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE