



Control Number: 51698



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**DOCKET NO. 51698**

FILED

2021 MAR -5 11:03 02  
PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILED CLERK

**PETITION OF TRENDMAKER  
HOMES, INC. TO AMEND MSEC  
ENTERPRISES, INC.'S CERTIFICATE  
OF CONVENIENCE AND NECESSITY  
IN MONTGOMERY COUNTY BY  
EXPEDITED RELEASE** §  
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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION**

On January 8, 2021, Trendmaker Homes, Inc. (Trendmaker) filed a petition to amend MSEC Enterprises, Inc.'s (MSEC) water certificate of convenience and necessity (CCN) No. 12887 in Montgomery County, Texas, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). On February 22, 2021, the administrative law judge granted MSEC's February 18, 2021 motion to intervene.

Order No. 2, filed on February 5, 2021, established a deadline of March 5, 2021 for the Staff of the Public Utility Commission of Texas (Staff) to file a recommendation on final disposition. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON FINAL DISPOSITION**

As detailed in the attached memorandum of Patricia Garcia of the Commission's Infrastructure Division, Staff has reviewed the petition and recommends that it be approved.

**II. MOTION TO WITHDRAW REQUESTS FOR INFORMATION**

On March 3, 2021, Staff served requests for information on both Trendmaker and MSEC. Staff moves to withdraw those requests.

**III. CONCLUSION**

For the reasons detailed above, Staff respectfully recommends that the application be approved.

Dated: March 5, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Eleanor D'Ambrosio  
Managing Attorney

/s/ Merritt Lander  
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**DOCKET NO. 51698**

**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 on March 5, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Merritt Lander  
Merritt Lander

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Merritt Lander, Attorney  
Legal Division

**FROM:** Patricia Garcia, Senior Engineering Specialist  
Infrastructure Division

**DATE:** March 5, 2021

**RE:** Docket No. 51698 – *Petition of Trendmaker Homes, Inc. to Amend MSEC Enterprises, Inc.’s Certificate of Convenience and Necessity in Montgomery County by Expedited Release*

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On January 8, 2021, Trendmaker Homes, Inc. (Trendmaker Homes) filed a petition for streamlined expedited release from MSEC Enterprises, Inc.’s (MSEC) water certificate of convenience and necessity (CCN) No. 12887 in Montgomery County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Trendmaker Homes asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Montgomery County, which is a qualifying county.

Trendmaker Homes submitted adequate maps delineating the requested area for expedited release with enough detail to confirm the accurate positioning of its digital data under 16 TAC § 24.245(k). The map and digital data are sufficient for determining the location of the requested release area within MSEC’s certificated area. Gary Horton, Infrastructure Division, was able to confirm the acreage of the subject property and determined that the requested area is located within MSEC’s water CCN. Furthermore, Trendmaker Homes provided a warranty deed confirming ownership of the property within MSEC’s certificated area. In addition, Trendmaker Homes submitted a sworn affidavit attesting that the property was not receiving water service from the CCN holder. The tract of land is approximately 125.45 acres. The requested area to be released from MSEC (CCN No. 12287) is approximately 125.08 acres.

MSEC’s request to intervene was granted intervention by the administrative law judge on February 22, 2021.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Trendmaker Homes has met the Commission’s requirements to allow for the release of the requested area from MSEC’s CCN No. 12287. Therefore, I recommend approval of the petition. Enclosed is a final map and certificate for Commission approval.

Additionally, I recommend that the attached final map and certificate be provided to the CCN holder.



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

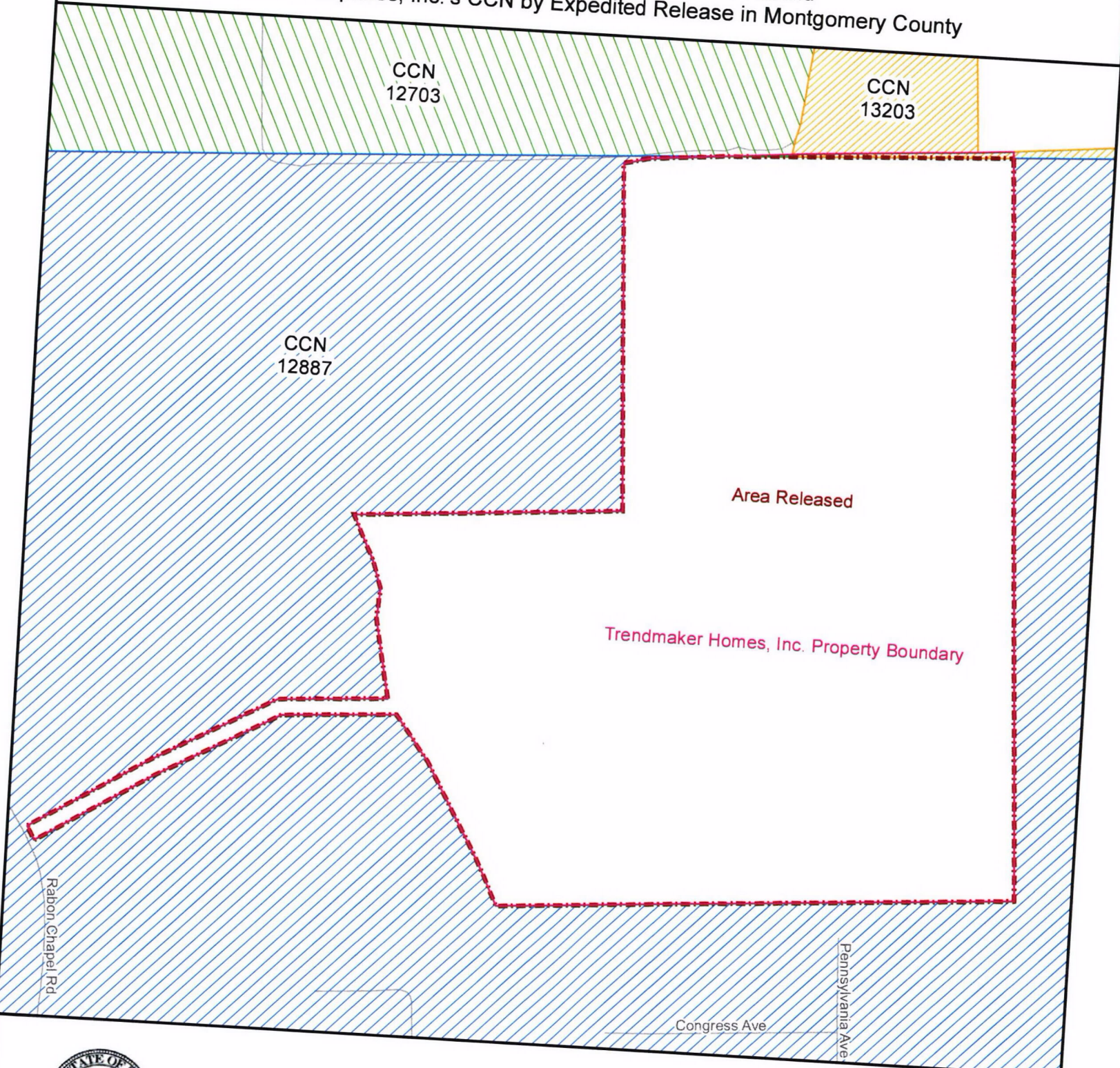
## **MSEC Enterprises, Inc.**




having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, MSEC Enterprises, Inc. is entitled to this

### **Certificate of Convenience and Necessity No. 12887**

to provide continuous and adequate water utility service to that service area or those service areas in Grimes and Montgomery Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51698 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of MSEC Enterprises, Inc. to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

MSEC Enterprises, Inc.  
 Portion of Water CCN No. 12887  
 PUC Docket No. 51698  
 Petition by Trendmaker Homes, Inc. to Amend  
 MSEC Enterprises, Inc.'s CCN by Expedited Release in Montgomery County



- Water CCN**
-  12887 - MSEC Enterprises Inc
  -  12703 - Lake Bonanza WSC
  -  13203 - Aqua Texas Inc

-  Area Released
-  Property Boundary



Public Utility Commission of Texas  
 1701 N. Congress Ave  
 Austin, TX 78701

Map by: Komal Patel  
 Date created: February 12, 2021  
 Project Name: 51689MSEC.mxd