



Control Number: 51738



Item Number: 38

Peter M. Lake
Chairman

Will McAdams
Commissioner

Lori Cobos
Commissioner

Thomas J. Gleeson
Executive Director



Greg Abbott
Governor

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Public Utility Commission of Texas

TO: Peter M. Lake, Chairman
Will McAdams, Commissioner
Lori Cobos, Commissioner

All Parties of Record

FROM: Stephen Journeay, Commission Counsel

DATE: 23 July 2021

RE: July 29, 2021 Open Meeting – Item 3
Docket No. 51738 – *Petition of Sanctuary Texas, LLC to Amend Aqua Texas, Inc.'s Certificate of Convenience and Necessity in Denton County by Expedited Release.*

A revised proposed order in the above referenced docket is posted for consideration and action by the Commission. If the Commission approves the revised proposed order, I recommend the following changes.

A new finding of fact should be added after finding of fact 25 for completeness.

XX. The CCN holder has a four-inch water line on the release property that is connected to a four-inch water line and a six-inch water line that are not on the release property to create a looped water main layout. The looped water main layout provides service to customers of the Spanish Oaks water system.

Conclusion of law 12 should be modified to clarify the Commission's authority to release or decertify facilities from a CCN under TWC § 13.2541.

12. The Commission may release only the property of the landowner from a CCN under TWC § 13.2541(b). The Commission has no authority to decertify any facilities or equipment owned and operated by the CCN holder to provide retail water service through the streamlined-expedited-release process under TWC § 13.2541(b).

A new conclusion of law should be added after conclusion of law 12 to clarify the relevant time period to consider when evaluating whether a tract of land is receiving water or sewer service under TWC § 13.2541(b).



XX. The time that the petition is filed is the only relevant time period to consider when evaluating whether a tract of land is receiving water or sewer service under TWC § 13.2541(b). Whether a tract might have previously received water or sewer service is irrelevant.

Additionally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

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