



## Filing Receipt

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**DOCKET NO. 51738**

<b>PETITION OF SANCTUARY TEXAS,</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>LLC TO AMEND AQUA TEXAS, INC.'S</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>AND NECESSITY IN DENTON</b>	<b>§</b>	
<b>COUNTY BY EXPEDITED RELEASE</b>	<b>§</b>	
	<b>§</b>	
	<b>§</b>	

**ORDER NO. 9**  
**AMENDING PROCEDURAL SCHEDULE**

On January 20, 2021, Sanctuary Texas, LLC filed a petition for streamlined expedited release within the boundaries of Aqua Texas, Inc.'s water certificate of convenience and necessity (CCN) number 13201 in Denton County, Texas under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). On July 30, 2021, the Commission filed an order in this docket granting the expedited release. On August 6, 2021, Aqua Texas filed a motion for reconsideration. On August 19, 2021, the Commission filed an order extending the time to act on what it characterized as a motion for rehearing to the maximum extent allowed under Texas Government Code § 2001.146(e). The order did not set a date on which the motion for rehearing would be overruled by operation of law. However, on September 14, 2021, the Office of Policy and Docket Management filed a memorandum, which stated that no Commissioner had voted to add the motion for rehearing to an open meeting agenda.

On October 13, 2021, Commission Staff filed a motion to amend the procedural schedule. Commission Staff recommended a new procedural schedule be adopted to account for the pertinent statutes and their timelines. No party filed a response to Commission Staff's motion.

Under Texas Government Code § 2001.146(f), "a motion for rehearing is overruled by operation of law on the date fixed by the order [granting the extension] or, in the absence of a fixed date, the 100th day after the date the decision or order that is the subject of the motion is signed." Based on the Commission's order extending time, the Commission's characterization of Aqua Texas' August 6, 2021 motion as a motion for rehearing, and the Commission's rules, the administrative law judge (ALJ) grants Commission Staff's request. The ALJ adopts the following amended procedure schedule:

<b><i>In the event Sanctuary and Aqua Texas can select an agreed-upon appraiser</i></b>	
Expedited release granted	November 7, 2021
Deadline for Sanctuary and Aqua Texas to select an agreed-upon appraiser	November 17, 2021 (10 days after the expedited release is granted)
Deadline for appraiser's report	January 16, 2022 (70 days after the expedited release is granted)
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by Sanctuary to Aqua Texas	Within 60 days after the appraiser's report.
Deadline for Sanctuary to pay any compensation due to Aqua Texas	Within 90 days of the Commission's final order on compensation
<b><i>In the event Sanctuary and Aqua Texas are unable to select an agreed-upon appraiser</i></b>	
Expedited release granted	November 7, 2021
Deadline for reports from Sanctuary's appraiser and from Aqua Texas's appraiser	January 16, 2022 (70 days after the expedited release is granted)
Deadline for Commission Staff's appraiser's report	February 15, 2022 (100 days after the expedited release is granted)
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by Sanctuary to Aqua Texas	Within 60 days after the Commission receives the final appraisal
Deadline for Sanctuary to pay any compensation due to Aqua Texas	Within 90 days of the Commission's final order on compensation

**Signed at Austin, Texas the 21st day of October 2021.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



**ISAAC TA  
ADMINISTRATIVE LAW JUDGE**