



## Filing Receipt

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**Control Number - 51738**

**ItemNumber - 54**

**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>	

**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, Sanctuary Texas LLC owes compensation to Aqua Texas, Inc. under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from Aqua Texas's certificated service area under certificate of convenience and necessity (CCN) number 13201. The Commission's determination on compensation is based on an agreement between Sanctuary Texas and Aqua Texas.

**I. Findings of Fact**

The Commission makes the following findings of fact.

**Petitioner**

1. The petitioner is a Texas limited liability company registered with the Texas secretary of state under filing number 803372809.

**CCN Holder**

2. CCN holder is a Texas corporation registered with the Texas secretary of state under filing number 800304878.
3. CCN holder holds CCN number 13201 that obligates it to provide retail water service in its certificated service area in Denton County.

**Petition**

4. On January 20, 2021, the petitioner filed a petition for streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 13201.
5. In the Order filed on July 30, 2021, the Commission granted the petition and released the tract of land from the CCN holder's certificated service area.

6. Ordering paragraph 7 of the July 30, 2021 Order stated that, if streamlined expedited release was granted, this docket would continue for the purpose of determining compensation.

#### **Appraisers and Appraisals**

7. No appraisers are needed to determine compensation in this docket because of the agreement between the petitioner and the CCN holder.

#### **Compensation**

8. On January 13, 2022, the petitioner and CCN holder filed a joint notice of agreement regarding compensation, in which they stipulated that compensation is owed to the CCN holder as a result of the streamlined expedited release.
9. In the agreement, the petitioner and the CCN holder have agreed that \$66,000 is owed for the streamlined expedited 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)(1), if the former CCN holder and landowner agree on the amount of compensation to be paid, they may forego the appraisal process and make a joint filing with the Commission stating the amount of the compensation to be paid.
6. Compensation in the amount of \$66,000 is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.
7. The Commission processed the petition in accordance with the TWC and Commission rules.

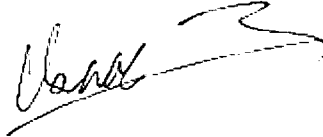
### III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The petitioner must pay to the CCN holder compensation in the amount of \$66,000 within 90 days from the date of this Notice of Approval.<sup>1</sup>
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 2nd day of February 2022.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**ISAAC TA  
ADMINISTRATIVE LAW JUDGE**

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<sup>1</sup> This implements the payment deadline mandated by 16 TAC § 24.254(i)(6). The parties are free to agree, via contract, to a shorter payment deadline.