



Control Number: 51824



Item Number: 5

Addendum StartPage: 0

DOCKET NO. 51824

**PETITION OF SAM HILL VENTURE
TO AMEND THE TOWN OF LITTLE
ELM'S CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
DENTON COUNTY BY EXPEDITED
RELEASE**

§
§
§
§
§
§

PUBLIC UTILITY COMMISSION

OF TEXAS

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON NOTICE
SUFFICIENCY**

On February 22, 2021, Sam Hill Venture (Sam Hill) filed a petition to amend the Town of Little Elm's (Little Elm's) water certificate of convenience and necessity (CCN) in Denton County by streamlined expedited release. Sam Hill seeks the expedited release of 14.5 acres of its tract of land that lies within the boundaries of Little Elm's water CCN number 11202. Sam Hill filed supplemental information on March 11, 2021.

On March 17, 2021, the administrative law judge (ALJ) filed Order No. 1, directing Staff (Staff) of the Public Utility Commission of Texas to file a supplemental recommendation on sufficiency of the amended application by April 12, 2021. Staff's original sufficiency recommendation, filed April 12, 2021, did not address the sufficiency of notice by Sam Hill. This supplemental recommendation addresses Sam Hill's notice sufficiency.

I. NOTICE SUFFICIENCY

Under 16 Texas Admin. Code (TAC) § 24.245(h)(3)(F), the landowner must provide proof that a copy of the petition has been mailed to the current CCN holder via certified mail on the day that the landowner submits the petition with the Commission.

Sam Hill states in its filing that it mailed a copy of its petition to the CCN holder, Little Elm, by certified mail on the day the petition was filed with the Commission. Accordingly, Staff recommends that the notice issued be found sufficient.

II. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that Sam Hill's notice be found sufficient.

Dated: April 13, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Heath D. Armstrong
Managing Attorney

/s/ Kevin R. Bartz
Kevin R. Bartz
State Bar No. 24101488
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7203
(512) 936-7268 (facsimile)
kevin.bartz@puc.texas.gov

DOCKET NO. 51824

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 via electronic mail on April 12, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kevin R. Bartz
Kevin R. Bartz