**Control Number: 51824**

**Item Number: 6**

**Addendum StartPage: 0**

| PETITION OF SAM HILL VENTURE | § | PUBLIC UTILITY COMMISSION |
|---|---|---|
| TO AMEND THE TOWN OF LITTLE | § | |
| ELM'S CERTIFICATE OF | § | OF TEXAS |
| CONVENIENCE AND NECESSITY IN | § | |
| DENTON COUNTY BY EXPEDITED | § | |
| RELEASE | § | |

## ORDER NO. 2
## FINDING PETITION ADMINISTRATIVELY COMPLETE AND NOTICE SUFFICIENT, AND ESTABLISHING PROCEDURAL SCHEDULE

This Order addresses sufficiency of the petition filed by Sam Hill Venture on February 22, 2021. Sam Hill Venture filled supplemental mapping information on March 11, 2021. Sam Hill Venture seeks the expedited release of a 14.5-acre portion of its 79.149-acre tract of land that lies within the Town of Little Elm's water certificate of convenience and necessity number 10201 in Denton County.

### I.      Finding Application Administratively Complete

On April 12, 2021, Commission Staff recommended that the petition, as supplemented, be found administratively complete. The administrative law judge (ALJ) finds the petition, as supplemented, administratively complete.

### II.      Notice

Sam Hill Venture stated in its petition that it mailed a copy of its petition to the CCN holder, the Town of Little Elm, via certified mail, return receipt requested. The ALJ finds the notice sufficient.

### III.      Establishing Procedural Schedule

Under Texas Water Code (TWC) § 13.2541, the granting of streamlined expedited release initiates an appraisal process to determine the amount of monetary compensation that may be owed by the landowner to the certificate holder for the tract of land that was released. Therefore, an order granting approval for streamlined expedited release is interim in nature and, in the event the requested release is approved, the docket will continue for the purpose of determining the issue of compensation.

The following procedural schedule applies in this case:

| Event | Date |
|---|---|
| Deadline for Little Elm to file a response to the administratively complete petition | May 4, 2021 |
| Deadline for Commission Staff's recommendation on final disposition | May 18, 2021 |
| Deadline for petitioner to file a reply to Little Elm's response and Commission Staff's recommendation on final disposition | May 25, 2021 |
| Sixty-day administrative approval of expedited release | June 14, 2021[1] |
| *In the event expedited release is granted and the petitioner and Little Elm can select an agreed-upon appraiser* | |
| Deadline for petitioner and Little Elm to select an agreed-upon appraiser | Within 10 days after the Commission approves expedited release |
| Deadline for appraiser's report | Within 70 days after the Commission approves expedited |
| Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to Little Elm | Within 60 days after appraiser's report |
| Deadline for petition to pay any compensation due to Little Elm | Within 90 days of Commission's final order on compensation |
| *In the event expedited release is granted and petitioner and Little Elm are unable to select an agreed-upon appraiser* | |
| Deadline for reports from petitioner's appraiser and from Little Elm's appraiser | Within 70 days after the Commission approves expedited release |
| Deadline for Commission Staff's appraiser's report | Within 100 days after the Commission approves expedited |
| Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to Little Elm | Within 60 days after Commission receives the final appraisal |
| Deadline for petitioner to pay any compensation due to Little Elm | Within 90 days of Commission's final order on compensation |

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[1] The 60-day administrative deadline falls on Sunday, June 13, 2021. Under 16 Texas Administrative Code § 22.4(a), the deadline moves to the next day the Commission is open for business, Monday, June 14, 2021.

**Signed at Austin, Texas the 14th day of April 2021.**

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PUBLIC UTILITY COMMISSION OF TEXAS

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**ISAAC TA**
**ADMINISTRATIVE LAW JUDGE**

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