



Control Number: 51824



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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**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

FILED
2021 MAY 27 AM 10:24
CLERK OF COURT
DENTON COUNTY TEXAS

COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION

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 the 14.5 acre portion of an approximately 79-acre 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 May 18, 2021, the administrative law judge (ALJ) filed Order No. 3, granting the Staff of the Public Utility Commission's (Staff) request for extension, and directing Staff to file a recommendation on final disposition on or before May 28, 2021. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON FINAL DISPOSITION

As detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, Staff has reviewed the amended petition for streamlined expedited release and recommends that it be approved. Staff respectfully requests the issuance of an order consistent with this recommendation.

II. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that Sam Hill's petition be approved and that the ALJ issue an order consistent with this recommendation.

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Dated: May 27, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

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/s/ Kevin R. Bartz

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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 May 27, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kevin R. Bartz

Kevin R. Bartz

Public Utility Commission of Texas

Memorandum

TO: Kevin Bartz, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: May 27, 2021

RE: Docket No. 51824 – *Petition of Sam Hill Venture to the Amend Town of Little Elm's Certificate of Convenience and Necessity in Denton County by Expedited Release*

On February 22, 2021, Sam Hill Venture (Sam Hill) filed a petition for streamlined expedited release from the Town of Little Elm's (Little Elm) water certificate of convenience and necessity (CCN) No. 11202 in Denton County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Sam Hill asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Denton County, which is a qualifying county.

Sam Hill submitted adequate maps delineating the requested area for expedited release with enough detail to confirm the accurate positioning of its digital data under 16 TAC § 24.245(k). The map and digital data are sufficient for determining the location of the requested release area within Little Elm's certificated area. Gary Horton, Infrastructure Division, was able to confirm the acreage of the subject property and determined that the requested area is located within Little Elm's water CCN. Furthermore, Sam Hill provided a warranty deed confirming ownership of the tract of land. In addition, Sam Hill submitted a sworn affidavit attesting that the property was not receiving water service from the CCN holder.

The petition indicates that the total acreage being requested is approximately 16.2 acres. Based on the mapping review by Gary Horton, Infrastructure Division, it was determined that the requested area is approximately 14.5 acres.

Little Elm did not request to intervene.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Sam Hill has met the Commission's requirements to allow for the release of the requested area from Little Elm's CCN No. 11202. Therefore, I recommend approval of the petition. Enclosed is a final map and certificate for Commission approval. Additionally, I recommend that a final map and certificate be provided to the CCN holder.



Public Utility Commission of Texas

By These Presents Be It Known To All That

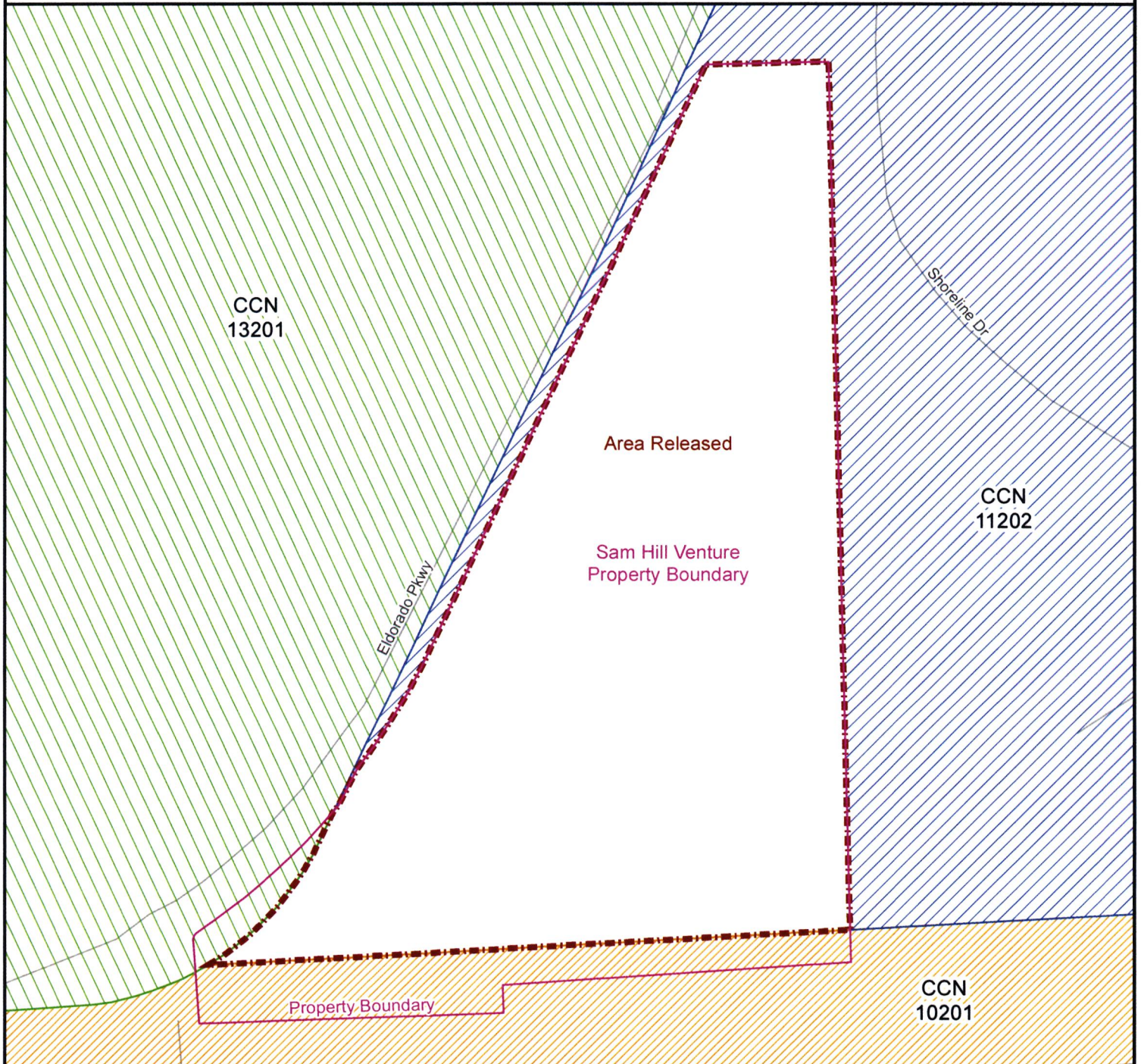
Town of Little Elm

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Town of Little Elm is entitled to this

Certificate of Convenience and Necessity No. 11202




to provide continuous and adequate water utility service to that service area or those service areas in Denton County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51824 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Town of Little Elm to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Town of Little Elm
Portion of Water CCN No. 11202
PUC Docket No. 51824
Petition by Sam Hill Venture to Amend
Town of Little Elm's CCN by Expedited Release in Denton County



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Water CCN

-  11202 - Town of Little Elm
-  13201 - Aqua Texas Inc
-  10201 - City of Lakewood Village

-  Area Released
-  Property Boundary

0 100 200
Feet



Map by: Komal Patel
Date created: May 20, 2021
Project Name: 51824TownofLittleElm.mxd