



Control Number: 51939



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DOCKET NO. 51939

**PETITION OF NPH MARKET §
STREET, LLC TO AMEND GULF §
COAST AUTHORITY'S SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN CHAMBERS §
COUNTY BY EXPEDITED RELEASE §**

**PUBLIC UTILITY COMMISSION 28
OF TEXAS**

COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION

On March 25, 2021, NPH Market Street, LLC (NPH) filed a petition for streamlined expedited release from Gulf Coast Authority's (Gulf Coast) sewer certificate of convenience and necessity (CCN) No. 20465 in Chambers County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h).

On April 27, 2021, the administrative law judge (ALJ) filed Order No. 2, requiring the Staff of the Public Utility Commission of Texas (Staff) to file a recommendation on final disposition on or before June 1, 2021. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON FINAL DISPOSITION

As detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, Staff has reviewed the 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 NPH's petition be approved and that the ALJ issue an order consistent with this recommendation.

Dated: June 1, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 June 1, 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: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: June 1, 2021

RE: Docket No. 51939 – *Petition of NPH Market Street, LLC to Amend Gulf Coast Authority's Sewer Certificate of Convenience and Necessity in Chambers County by Expedited Release*

On March 25, 2021, NPH Market Street, LLC (NPH) filed a petition for streamlined expedited release from Gulf Coast Authority's (Gulf Coast) sewer certificate of convenience and necessity (CCN) No. 20465 in Chambers County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). NPH asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Chambers County, which is a qualifying county.

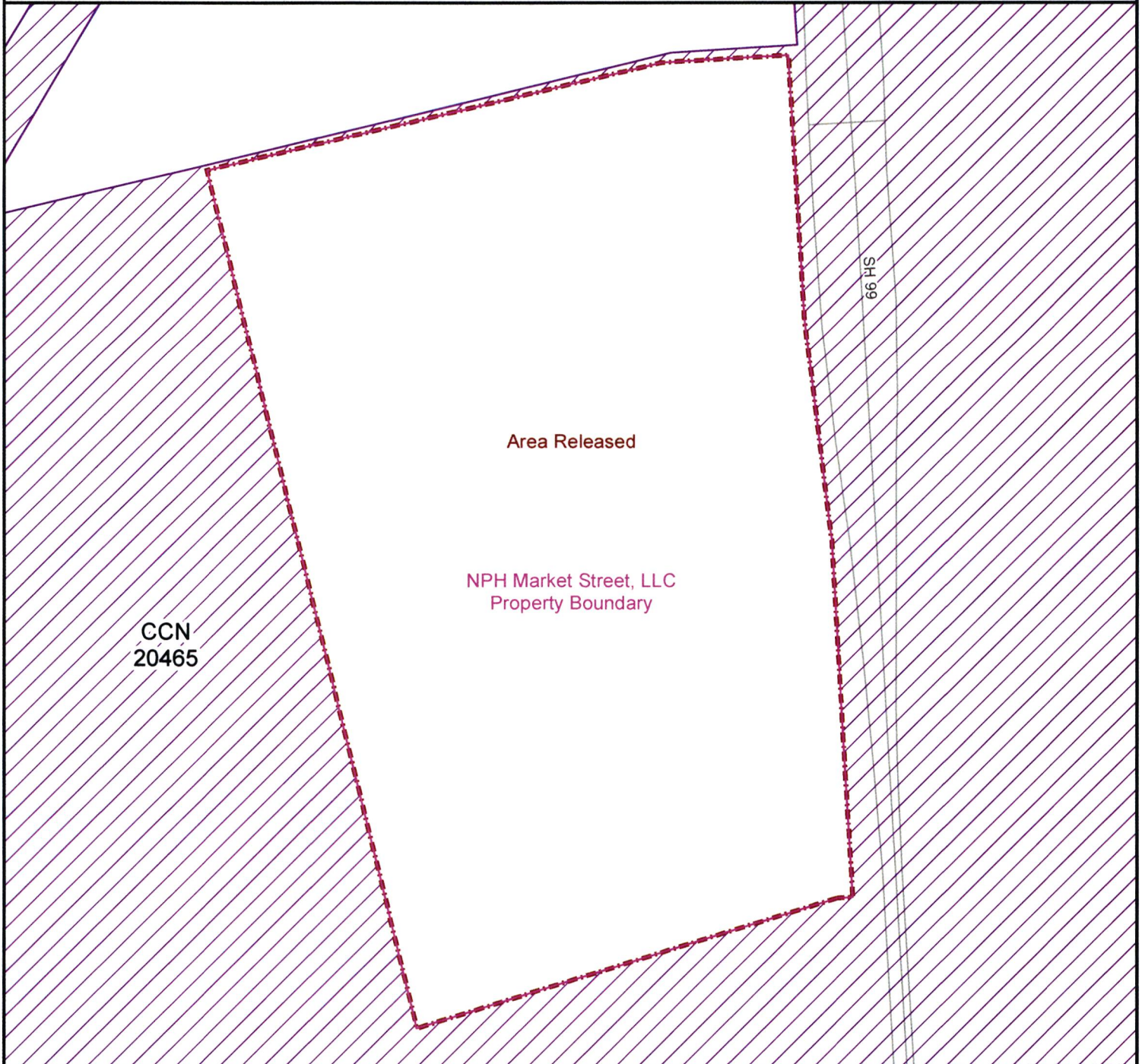
NPH submitted adequate maps delineating the requested area for expedited release with enough detail to confirm the accurate positioning of its digital data under 16 TAC § 24.245(k). The map and digital data are sufficient for determining the location of the requested release area within Gulf Coast's certificated area. Tracy Montes, Infrastructure Division, was able to confirm the acreage of the subject property and determined that the requested area is located within Gulf Coast's sewer CCN. Furthermore, NPH provided a warranty deed confirming ownership of the tract of land within Gulf Coast's certificated area. In addition, NPH submitted a sworn affidavit attesting that the property was not receiving sewer service from the CCN holder. The total property is approximately 134.09 acres. The requested area to be released from Gulf Coast's CCN No. 20465 is approximately 134.09 acres.

Gulf Coast did not request to intervene.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), NPH has met the Commission's requirements to allow for the release of the requested area from Gulf Coast's CCN No. 20465. Therefore, I recommend approval of the petition. Enclosed is a final map and certificate for Commission approval.

Additionally, I recommend that the final map and certificate be provided to the CCN holder.

Gulf Coast Waste Disposal Authority
Sewer CCN No. 20465
PUC Docket No. 51939
Petition by NPH Market Street, LLC to Amend
Gulf Coast Waste Disposal Authority's CCN by Expedited Release in Chambers County





Public Utility Commission Of Texas

By These Presents Be It Known To All That

Gulf Coast Waste Disposal Authority

having obtained certification to provide sewer 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, Gulf Coast Waste Disposal Authority is entitled to this

Certificate of Convenience and Necessity No. 20465

to provide continuous and adequate sewer utility service to that service area or those service areas in Brazoria, Chambers, Galveston and Harris Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51939 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 Gulf Coast Waste Disposal Authority 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.