



## Filing Receipt

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<b>PETITION OF CCD-NORTH SKY, LLC</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>TO AMEND MARILEE SPECIAL</b>	<b>§</b>	
<b>UTILITY DISTRICT'S CERTIFICATE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OF CONVENIENCE AND NECESSITY</b>	<b>§</b>	
<b>IN COLLIN COUNTY BY EXPEDITED</b>	<b>§</b>	
<b>RELEASE</b>	<b>§</b>	

**ORDER NO. 11**  
**DENYING PETITIONER'S REQUEST FOR AN ORDER REQUIRING MARILEE**  
**SPECIAL UTILITY DISTRICT TO WITHDRAW ITS FEDERAL LOAN**  
**APPLICATION**

On October 7, 2021, Marilee Special Utility District (the CCN holder) filed a response to the petition for streamlined expedited release filed by CCD-North Sky, LLC (the petitioner). In the response, the CCN holder explained, among other things, that it initiated, in 2021, an effort to obtain a federal loan.

On October 15, 2021, the petitioner filed a response in which it objected to the fact that the CCN holder applied for a federal loan while one or more petitions for streamlined expedited release were pending against it. The petitioner correctly notes that, under Texas Water Code (TWC) § 13.2541(e) and 16 Texas Administrative Code (TAC) § 24.245(h)(8), a CCN holder may not initiate an application to borrow money under a federal loan program after the date a streamlined expedited release petition is filed until the Commission issues a decision on the petition. The petitioner seeks an order requiring the CCN holder to withdraw its application for a federal loan until final decisions are made on all streamlined expedited release cases involving the CCN holder that are pending before the Commission.

On October 21, 2021, Marilee SUD filed a response in opposition to the motion.

The motion is denied. The statute and rule in question do not clearly vest the Commission with the authority or duty to enforce Texas Water Code (TWC) § 13.2541(e) and 16 Texas Administrative Code (TAC) § 24.245(h)(8) against a CCN holder. The petitioner is free to pursue injunctive relief in any other legal forum it thinks appropriate.

Signed at Austin, Texas the 25th day of October 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



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HUNTER BURKHALTER  
CHIEF ADMINISTRATIVE LAW JUDGE