



Control Number: 52160



Item Number: 5

Addendum StartPage: 0

DOCKET NO. 52160

2021 JUN 28 PM 2:03

PETITION OF SEWELL FAMILY
PARTNERSHIP, LTD. TO AMEND
JOHNSON COUNTY SPECIAL
UTILITY DISTRICT'S CERTIFICATE
OF CONVENIENCE AND NECESSITY
IN TARRANT COUNTY BY
EXPEDITED RELEASE

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PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

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

This Order addresses the sufficiency of the May 25, 2021 petition filed by Sewell Family Partnership, Ltd. Sewell Family seeks the expedited release of a portion of its 297 acre tract of land that lies within Johnson County Special Utility District's water certificate of convenience and necessity (CCN) number 10081 in Tarrant County.

I. Finding Application Administratively Complete

On June 25, 2021, Commission Staff recommended that the petition be found administratively complete. The administrative law judge (ALJ) finds the petition administratively complete.

II. Notice

Sewell Family's application included a certificate of service stating that a copy of the petition was sent, via certified mail, to Johnson County SUD on the date the petition was filed. 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 CCN holder and intervenors to file a response to the administratively complete petition	July 19, 2021 ¹
Deadline for Commission Staff's recommendation on final disposition	August 2, 2021
Deadline for petitioner to file a reply to CCN holder's response and Commission Staff's recommendation on final disposition	August 9, 2021
Sixty-day administrative approval of expedited release	August 30, 2021 ²
<i>In the event expedited release is granted and the petitioner and CCN holder can select an agreed-upon appraiser</i>	
Deadline for petitioner and CCN holder 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 CCN holder	Within 60 days after appraiser's report
Deadline for petitioner to pay any compensation due to CCN holder	Within 90 days of Commission's final order on compensation
<i>In the event expedited release is granted and petitioner and CCN holder are unable to select an agreed-upon appraiser</i>	
Deadline for petitioner and CCN holder to make a filing stating that they have been unable to select an agreed-upon appraiser and affirming that they will pay half of the cost of Commission Staff's appraiser ³	Within 10 days after the Commission approves streamlined expedited release
Deadline for reports from petitioner's appraiser and from CCN holder'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

¹ Date for CCN holder and intervenors to file response is due 20 days from the date of this Order, which is July 18, 2021, which falls on a Sunday. Therefore, the deadline advances to the next business day, Monday, July 19, 2021, under 16 Texas Administrative Code (TAC) § 22.4(a)

² 16 TAC § 22.4(a).

³ TWC § 13.2541(i).

Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to CCN holder	Within 60 days after Commission receives the final appraisal
Deadline for petitioner to pay any compensation due to CCN holder	Within 90 days of Commission's final order on compensation

Signed at Austin, Texas the 28th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE