



## Filing Receipt

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**Control Number - 52160**

**ItemNumber - 6**

**DOCKET NO. 52160**

<b>PETITION OF SEWELL FAMILY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>PARTNERSHIP, LTD. TO AMEND</b>	<b>§</b>	
<b>JOHNSON COUNTY SPECIAL</b>	<b>§</b>	<b>OF TEXAS</b>
<b>UTILITY DISTRICT'S CERTIFICATE</b>	<b>§</b>	
<b>OF CONVENIENCE AND NECESSITY</b>	<b>§</b>	
<b>IN TARRANT COUNTY BY</b>	<b>§</b>	
<b>EXPEDITED RELEASE</b>	<b>§</b>	

**COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION**

On May 25, 2021, Sewell Family Partnership, Ltd. (Sewell Family) filed a petition for streamlined expedited release from Johnson County Special Utility District's (Johnson County SUD) water Certificate of Convenience and Necessity (CCN) number 10081 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Sewell Family asserts that the land to be released is at least 25 contiguous acres, is not receiving water service, and is located in Tarrant county, which is a qualifying county.

On June 28, 2021, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of August 2, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the final disposition of the petition. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON FINAL DISPOSITION**

Staff has reviewed the petition and, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the petition be approved. Staff recommends that Sewell Family has met the requirements of TWC § 13.2541 and 16 TAC § 24.245(h), and further recommends that the petition for release of the requested area from Johnson County SUD's CCN number 10081 be granted. The final water CCN map and certificate are attached hereto and Staff recommends that they be provided to Johnson County SUD.

**II. CONCLUSION**

For the reasons detailed above, Staff respectfully recommends that the petition be approved and that the Commission issue an order consistent with this recommendation.

Dated: August 2, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**DOCKET NO. 52160**

**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 August 2, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith  
Forrest Smith

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Forrest Smith, Attorney  
Legal Division

**FROM:** Patricia Garcia, Senior Engineering Specialist  
Infrastructure Division

**DATE:** August 2, 2021

**RE:** Docket No. 52160 – *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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On May 25, 2021, Sewell Family Partnership, Ltd. (Sewell Family) filed a petition for streamlined expedited release from Johnson County Special Utility District's (Johnson County SUD) water certificate of convenience and necessity (CCN) No. 10081 in Tarrant County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Sewell Family asserts that the land is at least 25 contiguous acres, is not receiving water/sewer service, and is located in Tarrant County, which is a qualifying county.

Gary Horton, Infrastructure Division, determined that the map and digital data are sufficient for determining the location of the tract of land considered for streamlined expedited release is located within Johnson County SUD's water CCN. Furthermore, Sewell Family provided a warranty deed confirming ownership of the tract of land within Johnson County SUD's certificated service area. In addition, Sewell Family submitted a sworn affidavit attesting that the property was not receiving water service from the CCN holder.

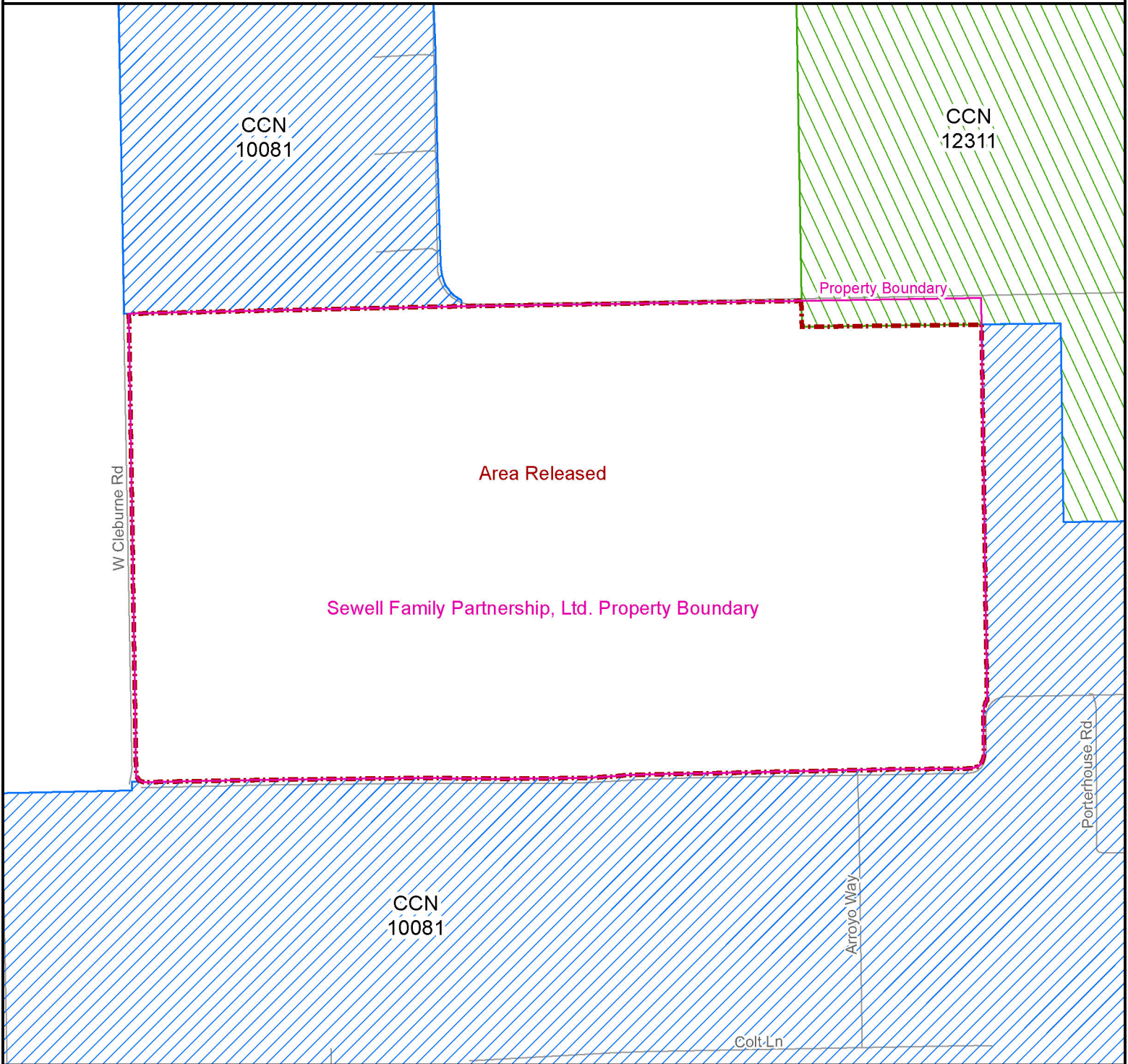
Based on the mapping review by Mr. Horton, it was determined that the entire tract of land is approximately 297 acres. The area to be released from Johnson County SUD, CCN No. 10081, is approximately 293.5 acres.

Johnson County SUD did not request to intervene; however, Johnson County SUD did submit a response to the petition stating that they believe they will come to an agreement with an appraiser on the amount of compensation to be paid to the certificate holder.



In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Sewell Family has met the Commission's requirements to allow for the release of the tract of land from Johnson County SUD's CCN No. 10081. 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.

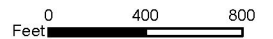
Johnson County Special Utility District  
Portion of Water CCN No. 10081  
PUC Docket No. 52160  
Petition by Sewell Family Partnership, Ltd. to Amend  
Johnson County Special Utility District's CCN by Expedited Release in Tarrant County



**Water CCN**

-  10081 - Johnson County SUD
-  12311 - City of Fort Worth

-  Area Released
-  Property Boundary





# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

## **Johnson County Special Utility District**

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, Johnson County Special Utility District, is entitled to this

### **Certificate of Convenience and Necessity No. 10081**

to provide continuous and adequate water utility service to that service area or those service areas in Ellis, Hill, Johnson, and Tarrant Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52160 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 Johnson County Special Utility District, 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.