



Filing Receipt

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DOCKET NO. 52160

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

**ORDER NO. 4
DENYING MOTION TO RECONSIDER**

On May 25, 2021, Sewell Family Partnership, Ltd. filed a petition for streamlined expedited release of a portion of a tract of land in Tarrant County from the service area under certificate of convenience and necessity (CCN) number 10081. Johnson County Special Utility District is the holder of CCN number 10081. In Order No. 1 filed on May 26, 2021, Johnson County SUD was given until July 2, 2021 to respond to the petition. The order specified that any such response by Johnson County SUD had to be “verified by a notarized affidavit.” On June 10, 2021, Johnson County SUD timely filed a response to the petition. The response did not include a notarized affidavit. In the response, Johnson County SUD did not assert that it was providing water service to the tract of land in question, and did not object to the release of the tract of land from its certificated service area.

Under 16 Texas Administrative Code (TAC) § 24.245(h)(6), the current CCN holder may file a response to the petition, not to exceed 20 days from the date the petition is determined to be administratively complete, and that response must be verified by a notarized affidavit. In Order No. 2 filed on June 28, 2021, the petition was found to be administratively complete and Johnson County SUD was given until July 19, 2021 to respond to the petition, as required under 16 TAC § 24.245(h)(6). Johnson County SUD filed no response by July 19, 2021.

Under 16 TAC § 24.245(h)(7), the Commission must issue a decision on the petition no later than 60 calendar days after the presiding officer determines that the petition is administratively complete. In Order No. 3 filed on August 9, 2021, the administrative law judge (ALJ) timely granted streamlined expedited release.

Thereafter, on August 11, 2021, Johnson County SUD filed an amended response to the petition and a motion to reconsider. In its amended response and motion, Johnson County SUD stated that the subject property is currently receiving water service from Johnson County SUD and therefore streamlined expedited release is not appropriate. The response does not include a notarized affidavit or provide any evidence to support its claim that it provides water service to the tract of land.

Johnson County SUD's amended response was not filed within the 20 day deadline provided in Order No. 2 and does not include a notarized affidavit, as required under 16 TAC § 24.245(h)(6). Accordingly, the ALJ denies Johnson County SUD's motion to reconsider.

Signed at Austin, Texas the 27th day of August 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**