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Received - 2022-03-31 11:09:02 AM

Control Number - 52267

ItemNumber - 19

DOCKET NO. 52267

PETITION OF MOUNT ZION WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION TO AMEND	§	
ITS CERTIFICATE OF CONVENIENCE	§	OF TEXAS
AND NECESSITY FOR PARTIAL	§	
DECERTIFICATION IN ROCKWALL	§	
COUNTY	§	

**ORDER NO. 9
REQUIRING CLARIFICATION AND ENTERING PROCEDURAL SCHEDULE**

In Order No. 8 filed on March 4, 2022, the administrative law judge (ALJ) denied Commission Staff’s motion to dismiss and filed a notice of intent to dismiss the application in this case for failure to state a claim for which relief can be granted. Upon further consideration of this matter, the ALJ is concerned that a factual dispute exists amongst the parties. Mount Zion Water Supply Corporation believes the approximate 11.11 acres that it seeks to decertify in this matter is within its certificated service area under certificate of convenience and necessity (CCN) number 10088; however, Commission Staff believes the 11.11 acres is not within Mount Zion’s certificated service area.

In its motion to dismiss filed on December 13, 2021, Commission Staff suggests that the last CCN amendment for Mount Zion was by the Texas Commission of Environmental Quality in application number 36854-C and that Mount Zion’s certificated water service area has not been amended since that application. Commission Staff attached the final map named 36854-C.pdf to its motion to dismiss. If Commission Staff believes this map accurately reflects the current boundaries of Mount Zion’s certificated service area, Commission Staff is asked to produce that map with the subject property highlighted. Further, the ALJ requires Mount Zion to clarify whether it agrees that the map named 36854-C.pdf accurately reflects its certificated area.

By April 21, 2022, the ALJ requires the parties to provide a clarification. Further, by May 5, 2022, either party may request a hearing or file a motion for summary decision. In the alternative, Mount Zion may file a motion to withdraw its application.

Signed at Austin, Texas the 31st day of March 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Christina Denmark". The signature is written in a cursive style with a large, prominent "D" at the end.

CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE