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DOCKET NO. 52293

PETITION OF MERITAGE HOMES OF	§	PUBLIC UTILITY COMMISSION
TEXAS, LLC, TO AMEND THE CITY	§	
OF MELISSA’S CONVENIENCE AND	§	OF TEXAS
NECESSITY IN COLLIN COUNTY BY	§	
EXPEDITED RELEASE	§	
	§	

ORDER NO. 7
FINDING PETITION ADMINISTRATIVELY COMPLETE AND NOTICE
SUFFICIENT, AND ESTABLISHING PROCEDURAL SCHEDULE

This Order addresses the sufficiency of the June 30, 2021 petition of Meritage Homes of Texas, LLC to amend the City of Melissa’s water certificate of convenience and necessity (CCN) number 11482 in Collin County by expedited release.

I. Finding Application Administratively Complete

On September 22, 2021, Commission Staff recommended that the petition be found administratively complete. The administrative law judge (ALJ) finds the petition administratively complete.

II. Notice

Meritage Homes stated that it mailed a copy of its petition to CCN holder, by certified mail on the day the petition was filed with the Commission. On September 8, 2021, Meritage Homes filed an affidavit attesting that a copy of the revised notice was sent by certified mail to CCN holder. 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	October 14, 2021
Deadline for Commission Staff's recommendation on final disposition	October 28, 2021
Deadline for petitioner to file a reply to CCN holder's response and Commission Staff's recommendation on final disposition	November 4, 2021
60-day administrative approval of expedited release	November 23, 2021
<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 petition 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 ¹	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
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

¹ Texas Water Code § 13.2541(i).

Signed at Austin, Texas the 24th day of September 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'G. Siemankowski', is written over a horizontal line.

GREGORY R. SIEMANKOWSKI
ADMINISTRATIVE LAW JUDGE