



Filing Receipt

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DOCKET NO. 52293

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

COMMISSION STAFF'S FINAL RECOMMENDATION

On June 30, 2021, Meritage Homes of Texas, LLC (Meritage Homes) filed a petition for streamlined expedited release from City of Melissa's (Melissa) water Certificate of Convenience and Necessity (CCN) No. 11482 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h).¹ Meritage Homes asserts that the land to be released is at least 25 contiguous acres, is not receiving water service, and is located in Collin County, which is a qualifying county.

On September 24, 2021, the administrative law judge (ALJ) filed Order No. 7, establishing a deadline of October 28, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file its recommendation on final disposition. Therefore, this pleading is timely filed.

I. FINAL RECOMMENDATION

Staff has reviewed the petition and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, Staff recommends that the petition be approved. Staff recommends that Meritage Homes 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 city of Melissa's CCN No. 11482 be granted. The final water CCN map and certificate are attached hereto and Staff recommends that they be provided to Meritage Homes.

¹ On August 19, 2021, Order No. 1 in Docket 52442 was filed by the administrative law judge granting the request by Meritage Homes to sever its petition to amend North Collin Special Utility District's CCN by expedited release from this pending petition in Docket No. 52293 and requiring Meritage to file a clean copy of this petition by August 23, 2021. This proceeding, Docket No. 52293, will address the petition of Meritage Homes for streamlined expedited release from water CCN No. 11482 held by City of Melissa in Collin County.

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: October 28, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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/s/ Forrest Smith
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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 October 28, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith

Public Utility Commission of Texas

Memorandum

TO: Forrest Smith, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: October 28, 2021

RE: Docket No. 52293 – *Petition of Meritage Homes of Texas, LLC to Amend City of Melissa's Certificate of Convenience and Necessity in Collin County by Expedited Release*

On June 30, 2021, Meritage Homes of Texas, LLC (Meritage Homes) filed a petition for streamlined expedited release from City of Melissa's water Certificate of Convenience and Necessity (CCN) No. 11482 in Collin County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h).¹ Meritage Homes asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Collin County, which is a qualifying county.

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

The tract of land is approximately 273.5 acres. The area to be released from City of Melissa (CCN No. 11482) is approximately 199.9 acres.

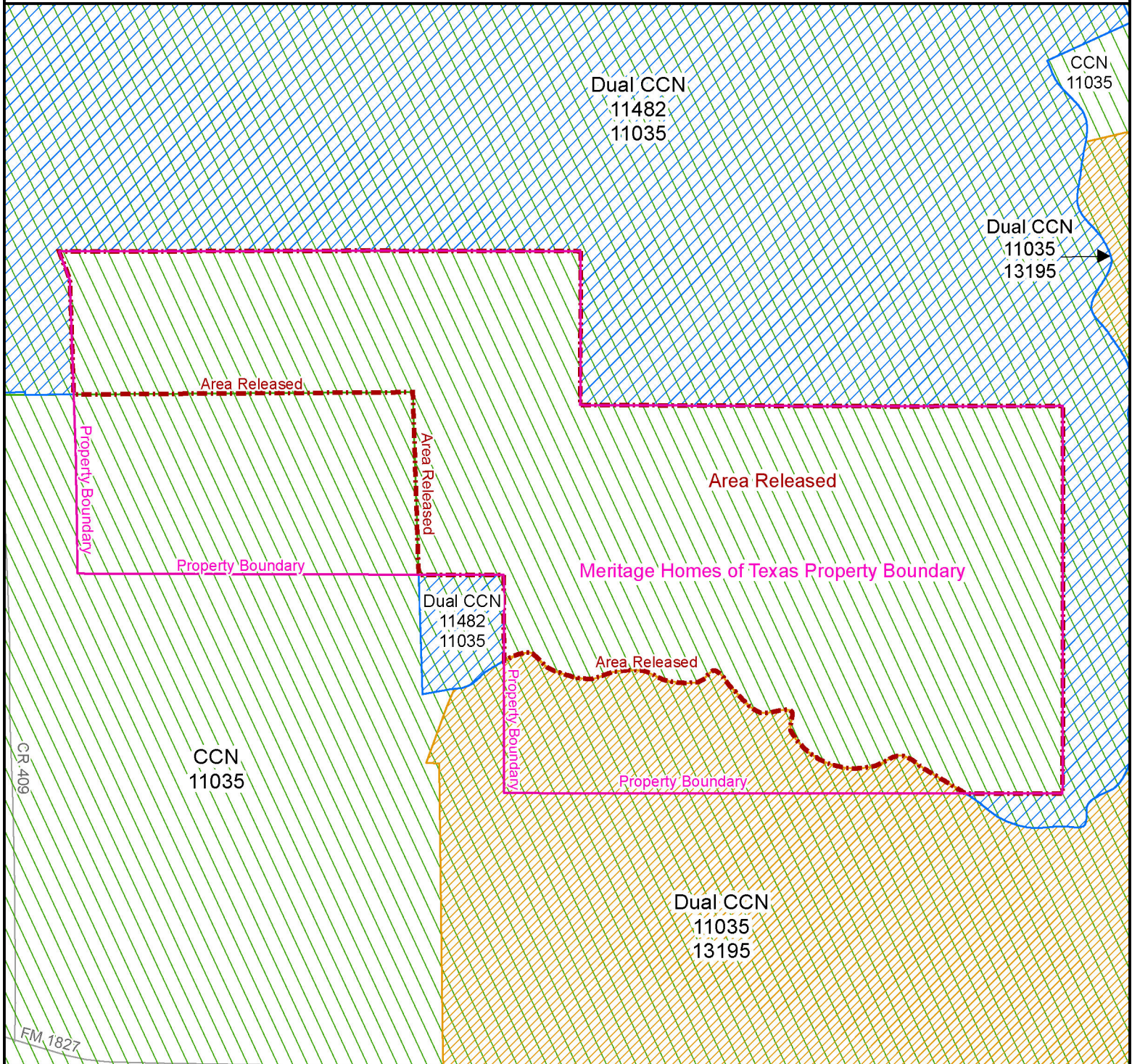
City of Melissa did not request to intervene.

¹ On August 19, 2021, Order No. 1 in Docket 52442 was filed by the administrative law judge granting the request by Meritage Homes to sever its petition to amend North Collin Special Utility District's CCN by expedited release from this pending petition in Docket No. 52293 and requiring Meritage to file a clean copy of this petition by August 23, 2021. This proceeding, Docket No. 52293, will address the petition of Meritage Homes for streamlined expedited release from water CCN No. 11482 held by City of Melissa in Collin County.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Meritage Homes has met the Commission's requirements to allow for the release of the tract of land from City of Melissa's CCN No. 11482. 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.

City of Melissa
 Portion of Water CCN No. 11482
 PUC Docket No. 52293
 Petition by Meritage Homes of Texas to Amend
 City of Melissa's CCN by Expedited Release in Collin County



Public Utility Commission of Texas
 1701 N. Congress Ave
 Austin, TX 78701

Water CCN

-  11482 - City of Melissa
-  11035 - North Collin SUD
-  13195 - City of Princeton

-  Area Released
-  Property Boundary

0 400 800
 Feet



Map by: Komal Patel
 Date: October 25, 2021
 Project: 52293CityofMelissa.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of Melissa

having duly applied for 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 by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 11482

to provide continuous and adequate water utility service to that service area or those service areas in Collin County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application No. 52293 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 the City of Melissa 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.

Note: The provision of utility service under this certificate is governed by a settlement agreement between the Cities of Anna, McKinney, Melissa and the North Collin Water Supply Corporation. Please contact these entities for information regarding the terms of this agreement.