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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 RECOMMENDATION
ON FINAL DISPOSITION**

On June 30, 2021, Meritage Homes of Texas, LLC (Meritage) filed a petition for streamlined expedited release from the 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). Meritage asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Collin County, Texas which is a qualifying county. Meritage filed supplemental mapping information and a suggested correction to Order No. 8 on March 28, 2022.

On May 10, 2022, the administrative law judge (ALJ) filed Order No. 10, establishing a deadline of June 15, 2022 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 supplemental information and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, recommends that the supplemented petition be approved. Staff recommends that Meritage 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 Melissa's CCN No. 11482 be granted. Staff provides the attached final water CCN map and certificate and recommends that they be provided to the City of Melissa.

II. CONCLUSION

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

Dated: June 15, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

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Managing Attorney

/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 June 15, 2022, 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: June 15, 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 August 23, 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, Texas 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 in the petition for streamlined expedited release is approximately 273.5 acres, of which approximately 60 acres overlap City of Melissa (CCN No. 11482) and would be decertified from CCN No. 11482.

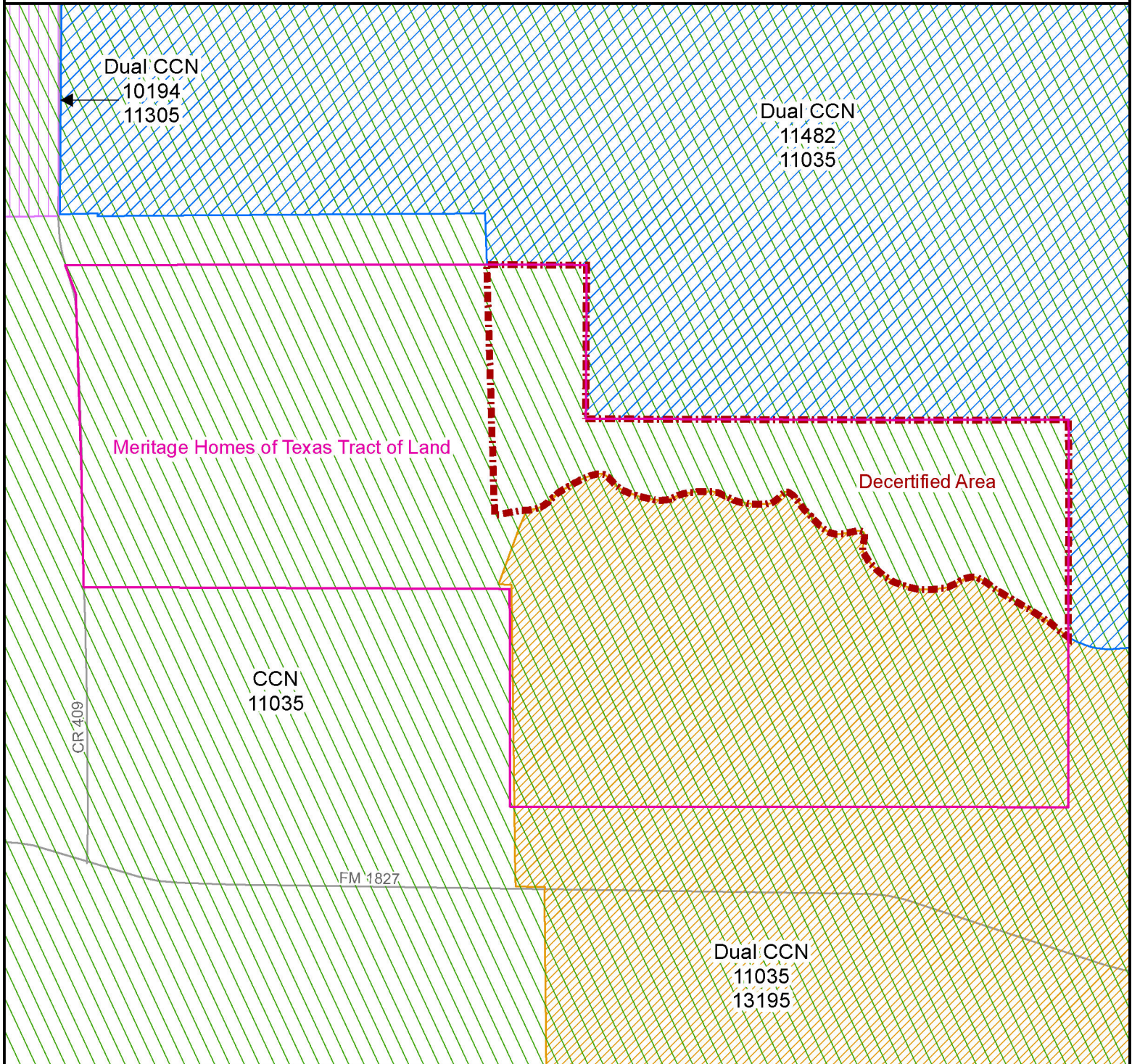
Meritage Homes did not request to intervene.

¹ On August 19, 2021, Order No. 1 was filed by the administrative law judge granting the request by Meritage Homes to sever this application from the pending application in Docket No. 52293 and requiring Meritage to file this application by August 23, 2021. This proceeding, Docket No. 52293, will address the petition of Meritage Homes for streamlined expedited release from water CCN number 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 Streamlined 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
-  10194 - City of McKinney

-  Decertified Area
-  Tract of Land

0 400 800
Feet



Map by: Komal Patel
Date: May 23, 2022
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.