



## Filing Receipt

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**Control Number - 52394**  
**ItemNumber - 7**

PUC DOCKET NO. 52394

PETITION BY	§	
BRYAN FRENCHAK	§	BEFORE THE
FOR EXPEDITED RELEASE	§	
FROM SEWER CCN NO. 20573	§	PUBLIC UTILITY COMMISSION
HELD BY PORTER MUNICIPAL	§	
UTILITY DISTRICT	§	OF TEXAS

**PETITION BY BRYAN FRENCHAK FOR EXPEDITED RELEASE  
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Bryan Frenchak, (Petitioner) and files this Petition with the Public Utility Commission of Texas (PUC) for expedited release from the Porter Municipal Utility District (Porter MUD) sewer certificate of convenience and necessity (CCN) No. 20573, pursuant to Texas Water Code Section 13.2541 and Rule 24.245 of the PUC's Rules found at 16 Texas Administrative Code § 24.245 and, in support thereof, would respectfully show the following:

**I. APPLICABLE REGULATIONS**

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and is not receiving water or sewer service may petition for expedited release of the area from a CCN. TEX. WATER CODE ANN. § 13.2541. For land that is located in a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract "is entitled to that release." *Id.* The rule adopted by the PUC pursuant to Section 13.2541 provides the same, and it recognizes that Montgomery County is a county in which owners of at least 25 acres are entitled to expedited release. See 16 TEX. ADMIN. CODE § 24.245. Under Section 13.2541, the PUC "shall grant the petition not later than the 60<sup>th</sup> day after the date the landowner files the petition."

**II. INFORMATION ABOUT THE PETITIONER**

The Petitioner's legal name is Bryan Frenchak.

**III. REQUEST FOR EXPEDITED RELEASE**

Petitioner owns approximately 99.878 acres of contiguous property in Montgomery County (Property). The Property is within the boundaries of sewer CCN No. 20573 held by Porter MUD. The Property does not receive service from any water or sewer provider. An affidavit in support of this Petition is attached hereto as Exhibit A. Maps showing the location of the Property, along with the digital data, are attached hereto as Exhibit B. The deed showing ownership of the Property is attached hereto as Exhibit C. A copy of this petition has been mailed to Porter MUD via certified mail.

#### IV. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Montgomery County. Under Section 13.2541 the PUC should grant this Petition no later than the 60th day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Property that is within the boundaries of sewer CCN No. 20573.

Respectfully submitted,

Jose M. de Leon, PE  
jdeleon@venturieng.com

Venturi Engineers LLC  
26310 Oak Ridge Dr., Ste. 46  
The Woodlands, TX 77380  
Telephone: (832) 447-1237  
Facsimile: (832) 447-1237

BY:   
Jose M. de Leon, PE

#### CERTIFICATE OF SERVICE

I hereby certify by my signature below that on the 30<sup>th</sup> day of November 2021, a true and correct copy of the above and foregoing document was forwarded via hand delivery, facsimile, U.S. mail or electronic mail to all parties of record and a true and correct copy of the above and foregoing document has been mailed by certified mail to Porter Municipal Utility District, 23922 Loop 494, Porter, TX, 77365.

  
Jose M. de Leon, PE

PUC DOCKET NO. 52394

PETITION BY  
BRYAN FRENCHAK  
FOR EXPEDITED RELEASE  
FROM SEWER CCN NO. 20573  
HELD BY PORTER MUNICIPAL  
UTILITY DISTRICT

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BEFORE THE  
  
PUBLIC UTILITY COMMISSION  
  
OF TEXAS

**AFFIDAVIT FOR PETITION BY BRYAN FRENCHAK FOR  
EXPEDITED RELEASE PURSUANT TO TEXAS WATER CODE SECTION 13.2541**


State of Texas §

County of Montgomery §


BEFORE ME, the undersigned notary, personally appeared Bryan Frenchak, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

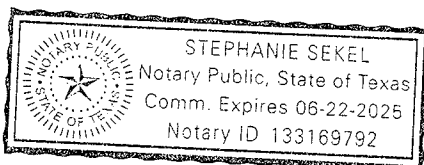
1. "My name is Bryan Frenchak. I am over the age of eighteen years, of sound mind, and capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.
2. I am the owner of approximately 99.878 acres of land, which is located within the boundaries of sewer Certificate of Convenience and Necessity No. 20573 issued to Porter Municipal Utility District. This property is located in Montgomery County, Texas. Exhibit B attached to this Petition is a true and correct copy identifying the property, its location, and the area of the CCNs.
3. The property in' question is not receiving sewer service from Porter Municipal Utility District or any other sewer service provider. The property has not requested sewer service from Porter Municipal Utility District or paid any fees or charges to initiate or maintain sewer service, and there are no billing records or other documents indicating an existing account for the property.
4. I request that the Public Utility Commission on Texas release this property from sewer CCN No. 20573."

FURTHER AFFIANT SAYETH NOT.

  
Bryan Frenchak

SWORN TO AND SUBSCRIBED TO BEFORE ME by Bryan Frenchak on 11-4- 2021.

  
Notary Public State of Texas



The following files are not convertible:

Digital Map 2021-11-15.dwg

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.