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PUC DOCKET NO. 52411

PETITION OF HMI-OAK GROVE LLC	§	
TO AMEND BETHESDA WATER	§	
SUPPLY CORPORATION’S WATER	§	BEFORE THE
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY NO. 10089 IN	§	PUBLIC UTILITY COMMISSION
TARRANT COUNTY, TEXAS BY	§	
STREAMLINED EXPEDITED	§	OF TEXAS
RELEASE UNDER TEXAS WATER	§	
CODE § 13.2541 AND 16 TAC § 24.245(h)		

HMI-OAK GROVE LLC’S FIRST SUPPLEMENTAL INFORMATION

HMI-Oak Grove LLC (“HMI-Oak Grove”) files with the Public Utility Commission of Texas (the Commission) the following supplemental information as required by Order No. 2 in this proceeding. In support, HMI-Oak Grove respectfully shows the following.

II. BACKGROUND

HMI-Oak Grove filed the original petition on August 10, 2021. Commission Staff filed its Recommendation on Administrative Completeness and Notice on September 9, 2021. The Administrative Law Judge (“ALJ”) entered Order No. 2 on September 10, 2021. In Order No. 2, the ALJ ordered HMI-Oak Grove to file information to cure the deficiencies noted in Staff’s recommendation by October 11, 2021. Therefore, this Supplement is timely filed.

I. SUPPLEMENTAL INFORMATION

As explained in the Memorandum filed by Staff with its recommendation, the original Certificate of Convenience and Necessity (“CCN”) boundary maps submitted by HMI-Oak Grove as Exhibit B to its original petition illustrate property that is not entirely consistent with the metes and bounds of the two deeds that were filed as Exhibit A to the original petition and which evidence HMI-Oak Grove’s ownership of the property proposed for streamlined expedited release. The deeds convey and describe more land than HMI-Oak Grove is requesting to be released from Bethesda Water Supply Corporation’s (“Bethesda”) water CCN. In other words, the maps submitted with the original petition intentionally omitted a portion of land described in the metes and bounds because HMI-Oak Grove is not requesting that those portions of land be released from the CCN.

More specifically, the deeds evidencing HMI-Oak Grove’s ownership of the subject property describe four tracts of land in total. There are two deeds: one granted by Nicolas and

Erika Gomez (the “Gomez Deed”) and a second deed granted by Jesus and Maria Vargas (the “Vargas Deed”). Each deed describes two tracts. Tract 1 in the Gomez Deed is described as being a 14.0123 acre tract of land. Tract 2 in the Gomez Deed is described as being a 3.1441 acre tract of land. Tract 1 in the Vargas Deed is described as being a 48.6908 acre tract of land. Tract 2 in the Vargas Deed is described as being a 2.9492 acre tract of land.

Gomez Tract 1 and Vargas Tract 1 are adjacent to one another in the portion of the overall property that is north and west of the diagonal right of way illustrated in Exhibit B. The combined acreage of Gomez Tract 1 and Vargas Tract 1 is 62.7031, which is the same 62.7031 acres described in Paragraph 2 on page 2 of the original petition. This is the portion of the property conveyed by the two deeds that HMI-Oak Grove requests be released from Bethesda WSC’s water CCN.

Gomez Tract 2 and Vargas Tract 2 are adjacent to one another in the portion of the overall property that is south and east of the right of way. HMI-Oak Grove is not requesting that the Commission take any action with respect to the land area within those two tracts. For purposes of clarification, HMI-Oak Grove attaches to this supplement **Exhibit E**, which illustrates the area *not to be released* from Bethesda WSC’s CCN.

The maps and shapefile data filed as Exhibit B with the original petition correctly illustrate the 62.7031 acre tract that HMI-Oak Grove is requesting be released from Bethesda WSC’s water CCN. Therefore, there are no meaningful revisions that HMI-Oak Grove can make to the general location or detailed map as instructed in Staff’s memorandum. HMI-Oak Grove believes that the maps in Exhibit B already identify only the requested area to be released from Bethesda WSC’s CCN and that resubmitting the same maps as “supplemental” information would be duplicative and unnecessarily burden the record. Similarly, as explained, the digital mapping data for the requested area is also included in Exhibit B. HMI-Oak Grove is not submitting digital mapping “for the requested area for four tracts” as instructed in Staff’s memo because HMI-Oak Grove is not requesting release of all four tracts.

II. CONCLUSION & PRAYER

For the foregoing reasons, HMI-Oak Grove LLC, respectfully requests that the presiding officer (a) declare this Petition administratively complete; (b) grant this Petition in all respects as required by TWC Section 13.2541 and 16 TAC Section 24.245(h) within sixty (60) days of the declaration of administrative completeness; (c) enter an order releasing the requested

62.7031-acre area from Bethesda WSC's water Certificate of Convenience and Necessity No. 10089 in Tarrant County, Texas; and (d) grant or issue all other orders, acts, procedures, and relief as are necessary and proper to the release of the 62.7031-acre tract from Bethesda WSC's water Certificate of Convenience and Necessity No. 10089 in Tarrant County, Texas.

Respectfully submitted,

LLOYD GOSSELINK

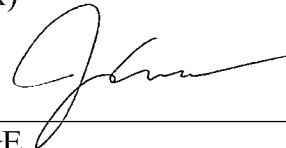
ROCHELLE & TOWNSEND, P.C.

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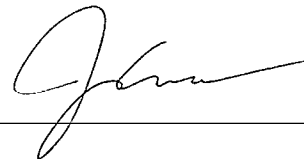
JAMES ALDREDGE

State Bar No. 24058514

ATTORNEY FOR HMI OAK GROVE LLC

CERTIFICATE OF SERVICE

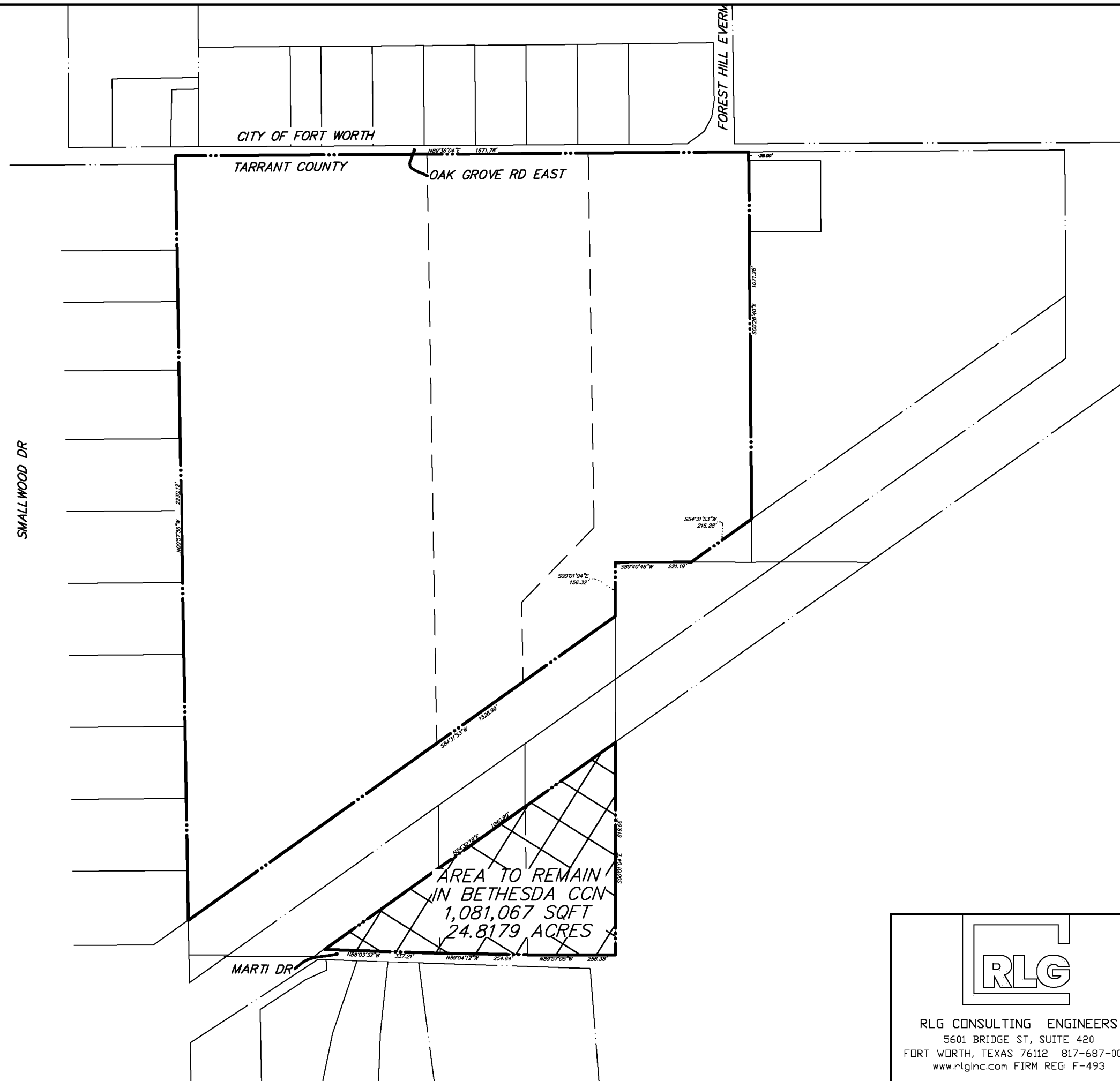
I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, hand-delivery, and/or regular, first class mail on this the 11th day of October, 2021 to the parties of record, in accordance with 16 Tex. Admin. Code Section 22.74.



JAMES ALDREDGE

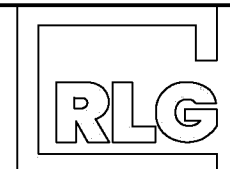
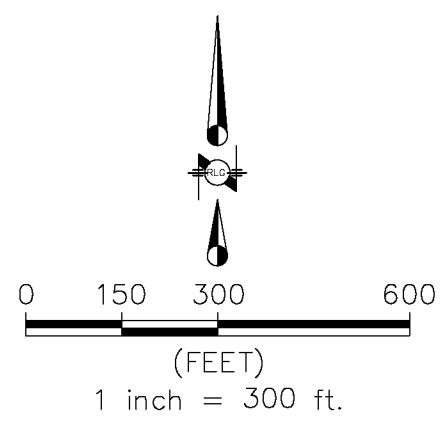
Exhibit E

Map of Area Not to be Released



**PUC DOCKET 52411
PETITIONER'S
EXHIBIT E**

NOTE:
AREA TO REMAIN IN
BETHESDA CCN COMPRISED
OF TRACT 2 PER INST. NO.
D221219158 D.R.T.C.T. AND
TRACT 2 PER INST. NO.
D221219125 D.R.T.C.T.



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CCN CLARIFICATION EXHIBIT
CCN DECERTIFICATION
DEER CREEK
TARRANT COUNTY, TEXAS

RLG#2123.009 DATE: SEPTEMBER 16, 2021
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