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PETITION OF LEGACY EQUESTRIAN CENTER LLC TO AMEND MARILEE SPECIAL UTILITY DISTRICT'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN COLLIN COUNTY BY EXPEDITED RELEASE	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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**ORDER NO. 6
CLARIFICATION**

Commission Staff and Marilee Special Utility District's June 2, 2022 joint request for clarification and abatement. Commission Staff states that it recently learned that the tract of land at issue in this proceeding is no longer owned by Legacy Equestrian Center LLC. Accordingly, Commission Staff and Marilee SUD request clarification on the following issues:

1. Can the release proceed at all given that the tract of land has been sold?
2. If the release can proceed, what entity will be responsible for the petitioner's portion of the fee for Commission Staff's appraiser?
3. Which party will be obligated to compensate Marilee SUD for the release of the tract of land?

Commission Staff and Marilee SUD request abatement of this proceeding pending clarification of the issues described above. Legacy Equestrian did not file a response to the joint request for clarification and abatement.

The administrative law judge denies the request for abatement as being unnecessary. First, the Commission's order filed on March 1, 2022, released the tract of land from Marilee SUD's certificated service area under certificate of convenience and necessity number 10150. In other words, there is no need for clarification on whether the release can proceed because the release has already occurred. Second, Texas Water Code (TWC) § 13.2541(i) states, "The petitioner and the certificate holder shall each pay half the cost of the third appraisal." Therefore, Legacy Equestrian is explicitly responsible for paying half of the third appraisal. Finally, TWC § 13.2541(f) states, "The utility commission may require an award of compensation by the petitioner to the certificate holder in the manner provided by this section." Therefore, Legacy Equestrian is responsible for paying the amount of compensation to be awarded to Marilee SUD, if any.

Signed at Austin, Texas the 10th day of June 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Isaac Ta", written over a horizontal line.

**ISAAC TA
ADMINISTRATIVE LAW JUDGE**