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DOCKET NO. 52293

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

ORDER NO. 4
GRANTING MOTION TO SEVER
AND ADDRESSING OTHER PROCEDURAL MATTERS

DOCKET NO. 52442

PETITION OF MERITAGE HOMES OF	§	PUBLIC UTILITY COMMISSION
TEXAS, LLC TO AMEND NORTH	§	
COLLIN SPECIAL UTILITY	§	OF TEXAS
DISTRICT’S CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
COLLIN COUNTY BY EXPEDITED	§	
RELEASE	§	

ORDER NO. 1
GRANTING MOTION TO SEVER
AND ADDRESSING OTHER PROCEDURAL MATTERS

I. Background

On June 30, 2021 Meritage Homes of Texas, LLC filed a petition to amend North Collin Special Utility District’s and City of Melissa’s certificates of convenience and necessity (CCN) in Collin County by streamlined expedited release. The petitioner seeks the streamlined expedited release of a tract of land owned by Meritage Homes that lies within North Collin SUD’s CCN number 11035 and the City of Melissa’s CCN number 11482.

On August 13, 2021, Meritage Homes filed a response to Order No. 2 and a motion to sever. Meritage Homes requests that the application for decertification from the City of Melissa remain under this docket number and that the petition for decertification from North Collins be severed from this docket and assigned a new docket number.

II. Severance

The ALJ finds that severance would serve the interest of efficiency. Accordingly, the ALJ grants Meritage Homes' motion to sever and orders Docket No. 52293 to be severed into two different dockets, as follows:

1. Docket No. 52293 will address the petition of Meritage Homes of Texas, LLC to amend the City of Melissa's certificate of convenience and necessity in Collin County by streamlined expedited release of a tract of land owned by Meritage Homes that lies within the City of Melissa CCN number 11482. The current docket will be restyled *Petition of Meritage Homes of Texas, LLC, to Amend the City of Melissa's Certificate of Convenience and Necessity in Collin County by Expedited Release*; and
2. Docket No. 52442 will address the petition of Meritage Homes of Texas, LLC for streamlined expedited release from water CCN number 11035 held by North Collin SUD in Collin County and will be styled *Petition of Meritage Homes of Texas, LLC to Amend North Collin Special Utility District's Certificate of Convenience and Necessity in Collin County by Expedited Release*; and
3. So that the record in both matters will be complete, the ALJ deems all documents filed prior to the date of this Order on the Commission's interchange in Docket No. 52293 to be incorporated by reference and be a part of the record for Docket No. 52442.

The ALJ grants the motion to sever and requires Meritage Homes to file clean copies of each application in their respective dockets.

III. Requiring Comments on Administrative Completeness, Notice, and Other Matters

By September 6, 2021, Commission Staff must file comments regarding the administrative completeness of the petition and notice.

Under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h), this proceeding is not a contested case and no opportunity for hearing is provided. However, under 16 TAC § 24.245(h)(6), North Collin SUD and City of Melissa may submit a response to the Commission. Accordingly, by September 13, 2021, North Collin SUD and City

of Melissa may submit responses, verified by notarized affidavits, to the petitions applicable to them.

IV. Establishing Procedural Schedule

The following procedural schedule applies in Docket Nos. 52293 and 52442:

Event	Date
Deadline for Meritage Homes to file clean copies of applications their respective dockets	August 23, 2021
Commission Staff's comments on the administrative completeness of the petition and notice	September 6, 2021
Deadline for response from CCN holders and intervenors to file a response to the petition	September 13, 2021

Signed at Austin, Texas the 19 day of August 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE