



Filing Receipt

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DOCKET NO. 52442

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

**COMMISSION STAFF’S REVISED RECOMMENDATION ON FINAL DISPOSITION
OF THE FIRST AMENDED PETITION**

On August 23, 2021, Meritage Homes of Texas, LLC (Meritage) filed a petition for streamlined expedited release from the North Collin Special Utility District’s (North Collin SUD) water Certificate of Convenience and Necessity (CCN) No. 11035 under Texas Water Code (TWC) § 13.2541(b) 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 revised mapping information on September 29, 2022.

On November 15, 2022, the administrative law judge (ALJ) filed Order No. 18, establishing a deadline of December 2, 2022, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a revised recommendation on final disposition of the amended petition, accompanied by a revised final map. Therefore, this pleading is timely filed.

I. REVISED RECOMMENDATION ON FINAL DISPOSITION

Staff has reviewed the amended petition and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, recommends that the amended petition, as supplemented with revised mapping, 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 North Collin SUD’s CCN No. 11035 be granted. Staff provides the revised final water CCN map and certificate and recommends that they be provided to North Collin SUD.

II. CONCLUSION

For the reasons outlined above, Staff recommends that the amended petition, as supplemented with revised mapping, be approved and that the Commission file an order consistent with this recommendation.

Dated: November 30, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Keith Rogas
Division Director

Sneha Patel
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 November 30, 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: November 30, 2022

RE: Docket No. 52442 – *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*

On August 23, 2021, Meritage Homes of Texas, LLC (Meritage Homes) filed a petition for streamlined expedited release from North Collin Special Utility District's (North Collin SUD) water certificate of convenience and necessity (CCN) No. 11035 in Collin County, 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 North Collin SUD's water CCN. Furthermore, Meritage Homes provided a warranty deed confirming ownership of the tract of land within North Collin SUD'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 landowner's total property is approximately 273.5 acres. The tract of land in the petition for streamlined expedited release is approximately 272.23 acres, of which approximately 272.23 acres overlap North Collin SUD (CCN No. 11035) and would be decertified from CCN No. 11035.

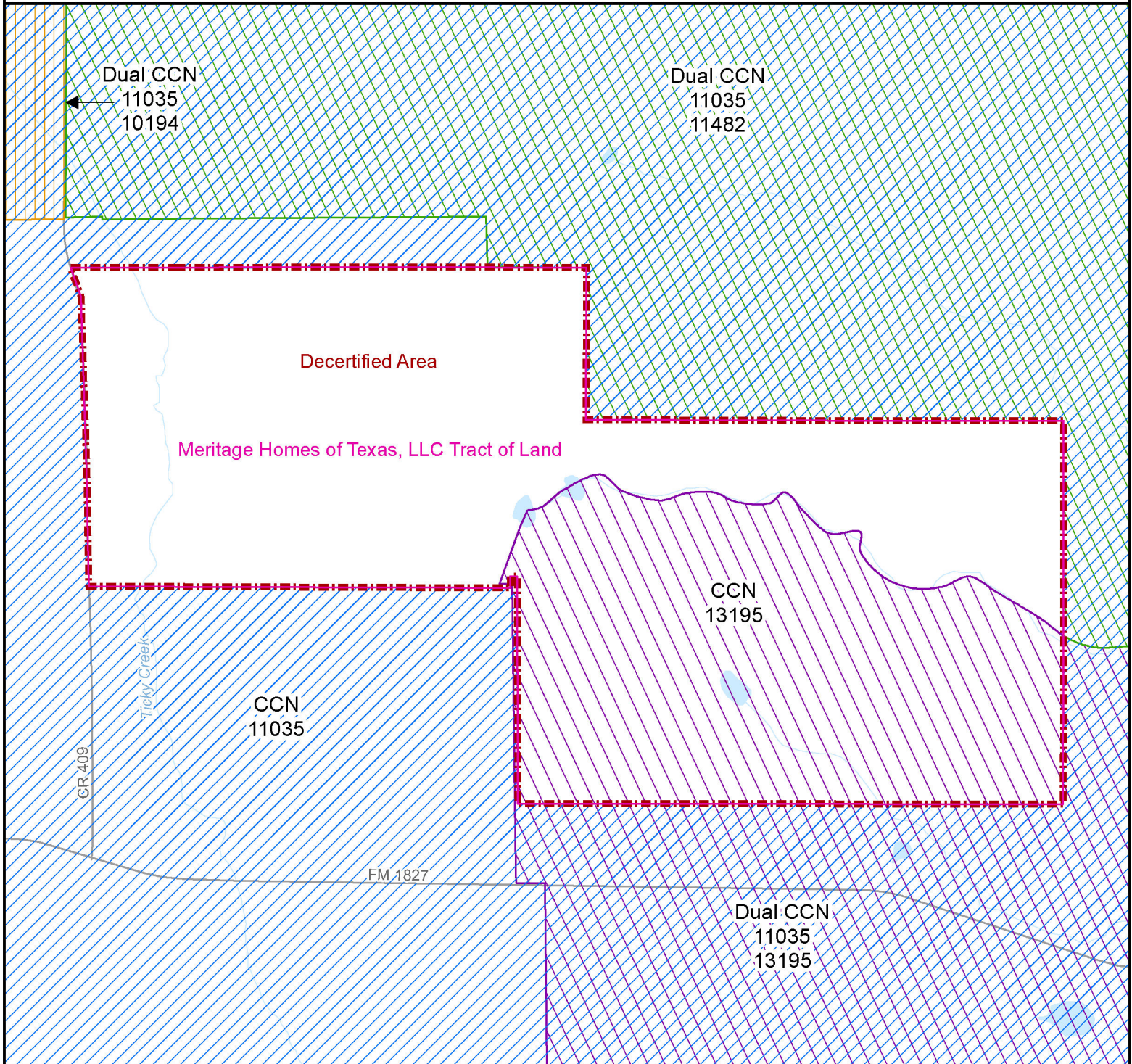
North Collin SUD requested to intervene. North Collins maintains that it is providing water service to the property, however the map provided does not show any meters located on the property being requested for release in this petition.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Meritage Homes have met the Commission's requirements to allow for the release of the tract of land from North Collin

SUD's CCN No. 11035. 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.

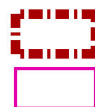
North Collin Special Utility District
Portion of Water CCN No. 11035
PUC Docket No. 52442
Petition by Meritage Homes of Texas, LLC to Amend
North Collin Special Utility District's CCN by Streamlined Expedited Release in Collin County





Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Water CCN

-  11035 - North Collin SUD
-  10194 - City of McKinney
-  11482 - City of Melissa
-  13195 - City of Princeton



-  Decertified Area
-  Tract of Land

0 400 800
Feet



Map by: Komal Patel
Date: November 28, 2022
Project: 52442NorthCollinSUDRemap.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

North Collin SUD

having obtained certification to provide water or sewer 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, North Collin SUD is entitled to this

Certificate of Convenience and Necessity No. 11035

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 Docket No. 52442 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 North Collin SUD 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.