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DOCKET NO. 52474

PETITION OF NEIMANN FARM	§	PUBLIC UTILITY COMMISSION
PARTNERS, LP TO AMEND POLONIA	§	
WATER SUPPLY CORPORATION'S	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN CALDWELL	§	
COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE		

**NOTICE OF APPROVAL
MAKING A DETERMINATION ON COMPENSATION**

In this Notice of Approval, the Commission determines that, for the streamlined expedited release granted in this docket, Neimann Farm Partners, LP owes no compensation to Polonia Water Supply Corporation under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from Polonia WSC's certificated service area under certificate of convenience and necessity (CCN) number 10420. The Commission's determination on compensation is based on an agreement between Neimann Farm and Polonia WSC.

I. Findings of Fact

The Commission makes the following findings of fact.

Petitioner

1. Neimann Farm is a Texas limited partnership registered with the Texas secretary of state under filing number 804090690.

CCN Holder

2. Polonia WSC is a Texas non-profit corporation registered with the Texas secretary of state under filing number 29577001.
3. Polonia WSC holds CCN number 10420 that obligates the utility to provide retail water service in its certificated service area in Caldwell County.

Petition

4. On August 25, 2021, the petitioner filed a petition for streamlined expedited release of a portion of its tract of land from the CCN holder's service area under CCN number 10420.
5. In Order No. 4 filed on November 9, 2021, the Commission granted the petition and released the tract from the CCN holder's certificated service area.

6. Ordering paragraph seven of Order No. 4 stated that, if streamlined expedited release was granted, this docket would continue for the purpose of determining compensation.

Appraisers and Appraisals

7. No appraisers are needed to determine compensation in this docket because of the agreement between the petitioner and the CCN holder

Compensation

8. On January 11, 2022, the petitioner and CCN holder filed a joint notice of agreement regarding compensation, in which they stipulated that no compensation is owed to the CCN holder as a result of the streamlined expedited release.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority to determine the amount of compensation to be awarded after granting streamlined expedited release under TWC §§ 13.254 and 13.2541.
2. No notice is required to determine the amount of compensation.
3. No opportunity for a hearing to determine compensation for streamlined expedited release is provided under TWC § 13.2541 or 16 Texas Administrative Code (TAC) § 24.245(h)(7).
4. The determination on compensation under TWC § 13.2541 and 16 TAC § 24.245(i) is not a contested case.
5. Under 16 TAC § 24.245(i)(1), if the former CCN holder and landowner agree on the amount of compensation to be paid, they may forego the appraisal process and make a joint filing with the Commission stating the amount of the compensation to be paid.
6. No compensation is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.
7. The Commission processed the petition in accordance with the TWC and Commission rules.


III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. No compensation is owed by the petitioner to the CCN holder for the streamlined expedited release.
2. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 12th day of January 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'Isaac TA', is written over a horizontal line.

**ISAAC TA
ADMINISTRATIVE LAW JUDGE**