



Filing Receipt

Received - 2021-11-22 09:33:18 AM

Control Number - 52497

ItemNumber - 10

PUC DOCKET NO. 52497

PETITION BY HC CELINA 414, LLC	§	BEFORE THE
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

**FIRST AMENDED PETITION BY HC CELINA 414, LLC FOR EXPEDITED RELEASE
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

HC Celina 414, LLC, (“Petitioner”) files its First Amended Petition with the Public Utility Commission of Texas (the “PUC”) for expedited release from Marilee Special Utility District (“Marilee SUD”) water and certificate of convenience and necessity (“CCN”) No. 10150 pursuant to (i) Texas Water Code Section 13.2541 and (ii) 16 Texas Administrative Code Section 24.245; and in support thereof would respectfully show as follows:

I. APPLICABLE REGULATIONS

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for expedited release of the area from a CCN. *See* TEX. WATER CODE § 13.2541. For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract “is entitled to that release.” *Id.* The rule adopted by the PUC pursuant to Section 13.2541 provides the same, and it recognizes that Collin County is a county in which owners of at least 25 acres are entitled to expedited release. *See* 16 TEX. ADMIN. CODE § 24.245(h). Under Section 13.2541(c), the PUC “shall grant a petition not later than the 60th day after the date the landowner files the petition.” *See* TEX. WATER CODE § 13.2541(c).

II. REQUEST FOR EXPEDITED RELEASE

Petitioner owns approximately 413.88 acres of contiguous property in Collin County (the “Overall Property”) that is located in CCN NO. 10150. Petitioner seeks release of 406.7 acres of the Overall Property (the “Requested Area”) from CCN No. 10150, as reflected on the previously submitted mapping and shapefiles. Petitioner incorporates Exhibits “A” – “C-1”, as attached to Petitioner’s Original Petition, and previously filed electronic mapping, herein, by reference.

III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Requested Area described herein. The Requested Area is greater than 25 acres, is not receiving water or sewer service, and is entirely within Collin County. Under Section 13.2541, the PUC should grant this Petition no later than the 60th day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Requested Area that is within the boundaries of water CCN No. 10150.

Respectfully submitted,

COATS | ROSE

By: 

Natalie B. Scott
State Bar No. 24027970
nscott@coatsrose.com
Terrace 2
2700 Via Fortuna, Suite 350
Austin, Texas 78746
(512) 469-7987 Telephone
(512) 469-9408 Telecopier
ATTORNEY FOR PETITIONER
HC CELINA 414, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of November, 2021, a true and correct copy of the foregoing document was sent, via electronic mail to all parties of record, in accordance with the Order Suspending Rules, issued in Project No. 50664.

Attorneys for Marilee SUD:

John J. Carlton and Grayson E. McDaniel
The Carlton Law Firm, P.L.L.C.
4301 Westbank Drive, Suite B-130
Austin, Texas 78746
Email: john@carltonlawaustin.com
Email: grayson@carltonlawaustin.com

Attorney for Commission Staff:

Andy Aus, Attorney-Legal Division
Public Utilities Commission of Texas
1701 N. Congress Ave.
P.O. Box 13326
Austin, Texas 78711-3326
Email: Andy.aus@puc.texas.gov



Natalie B. Scott