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Received - 2022-01-06 09:16:47 AM

Control Number - 52497

ItemNumber - 14

DOCKET NO. 52497

**PETITION OF HC CELINA 414, LLC § PUBLIC UTILITY COMMISSION
TO AMEND MARILEE SPECIAL §
UTILITY DISTRICT' S CERTIFICATE § OF TEXAS
OF CONVENIENCE AND NECESSITY §
IN COLLIN COUNTY BY EXPEDITED §
RELEASE §**

COMMISSION STAFF’S RECOMMENDATION ON FINAL DISPOSITION

On September 1, 2021, HC Celina 414, LLC (HC Celina) filed a petition for streamlined expedited release from Marilee Special Utility District’s (Marilee SUD) water Certificate of Convenience and Necessity (CCN) number 10150 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). HC Celina asserts that the land to be released is at least 25 contiguous acres, is not receiving water service, and is located in Collin County, which is a qualifying county.¹ According to the U.S. Census Bureau, Collin County has a population of 782,341.² Additionally, Collin County is adjacent to Dallas County, which has a population of 2,368,139.³

On December 3, 2021, the administrative law judge (ALJ) filed Order No. 5, establishing a deadline of January 6, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file its recommendation on final disposition. Therefore, this pleading is timely filed.

I. FINAL RECOMMENDATION

After review, and as supported by the attached memorandum of Pai Liu of the Infrastructure Division, Staff recommends approval of the application. Staff’s review indicates that HC Celina meets the requirements of Chapter 13 of the Texas Water Code and Title 16,

¹ TWC § 13.2541(b) and 16 TAC § 24.245(h)(2).

² U.S. Census Bureau, Census Data for Collin County, QuickFacts Collin County, Texas (2010) <https://www.census.gov/quickfacts/fact/table/collincountytexas/POP010220>

³ U.S. Census Bureau, Census Data for Dallas County, QuickFacts Dallas County, Texas (2010) <https://www.census.gov/quickfacts/fact/table/dallascountytexas/POP010220>

Chapter 24 of the Texas Administrative Code, to allow for the release of the tract of land from Marilee SUD's CCN number 10150.

II. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that HC Celina's petition be approved.

Dated: January 6, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

/s/ Andy Aus
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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 January 6, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Andy Aus
Andy Aus

Public Utility Commission of Texas

Memorandum

TO: Andrew Aus, Attorney
Legal Division

FROM: Pai Liu, Infrastructure Analyst
Infrastructure Division

DATE: January 6, 2022

RE: Docket No. 52497 – *Petition of HC Celina 414, LLC to Amend Marilee Special Utility District’s Certificate of Convenience and Necessity in Collin County by Expedited Release*

On September 1, 2021, HC Celina 414, LLC (HC Celina) filed a petition for streamlined expedited release from Marilee Special Utility District’s (Marilee SUD) water certificate of convenience and necessity (CCN) No. 10150 in Collin County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). HC Celina 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.

HC Celina submitted a sworn affidavit attesting that the property was not receiving water service from Marilee SUD and a warranty deed confirming HC Celina’s ownership of the tract of land. Based on the mapping review by Tracy Montes, Infrastructure Division, the revised maps submitted on October 8, 2021 (Item 8) and digital mapping data filed on September 1, 2021 (Item 1) are sufficient for determining the location of the tract of land considered for streamlined expedited release is located within Marilee SUD’s water CCN.

Based on the mapping review by Ms. Montes it was determined the entire tract of land is approximately 413.88 acres. The portion of the tract considered for release from Marilee SUD (CCN No. 10150) is approximately 406.7 acres. The First Amended Petition filed on November 22 (Item 10) confirmed HC Celina owns the entire tract that includes the portion considered for release.

The petition also includes a statement indicating a copy of the petition was sent via certified mail to Marilee SUD on the date the petition was filed with the Commission.

Marilee SUD requested to intervene.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), HC Celina has met the Commission's requirements to allow for the release of the tract of land from Marilee SUD's CCN No. 10150. 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.



Public Utility Commission of Texas

By These Presents Be It Known To All That

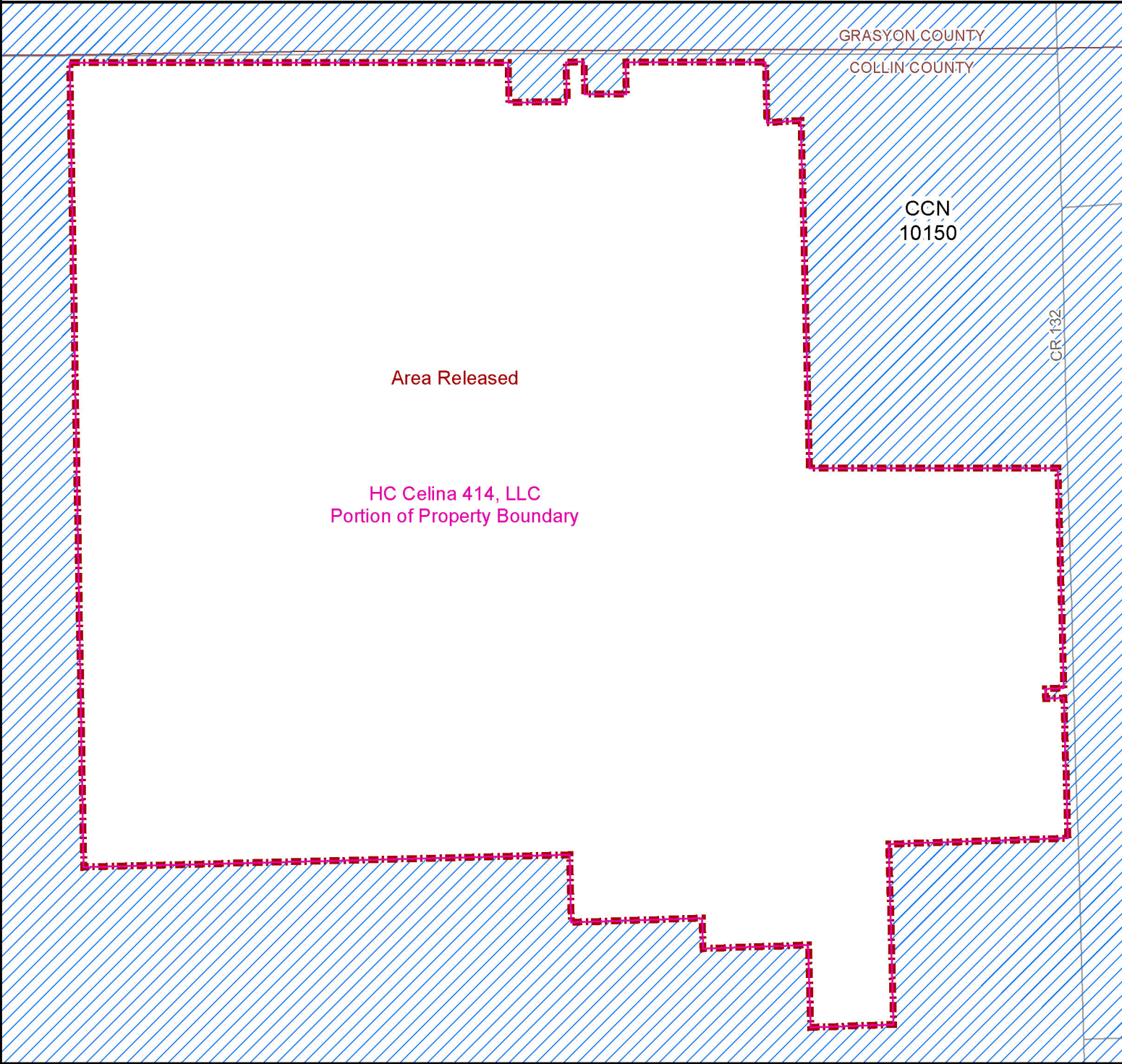
Marilee Special Utility District

having obtained certification to provide water 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, Marilee Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 10150


to provide continuous and adequate water utility service to that service area or those service areas in Collin and Grayson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52497 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 Marilee Special Utility District 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.

Marilee Special Utility District
Portion of Water CCN No. 10150
PUC Docket No. 52497
Petition by HC Celina 414, LLC to Amend
Marilee Special Utility District's CCN by Expedited Release in Collin County



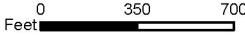
Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Water CCN

 10150 - Marilee SUD

 Area Released

 Portion of Property Boundary



Map by: Komal Patel
Date: December 20, 2021
Project: 52497MarileeSUD.mxd