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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	§	

ORDER NO. 6
RULING ON PENDING DISCOVERY MOTION

In this matter, HC Celina 414, LLC seeks to amend Marilee Special Utility District's certificate of convenience and necessity (CCN) in Collin County by expedited release.

On May 9, 2022, the petitioner served discovery, in the form of requests for information (RFIs), on the CCN holder. On May 19, 2022, the CCN holder filed an objection and motion to strike the petitioner's RFIs.

The CCN holder's objections are well taken and the utility has no obligation to respond to the RFIs. As the Commission's administrative law judges (ALJs) have repeatedly held,¹ there is no right to conduct discovery in streamlined expedited release matters. The parties are free to engage in discovery on a voluntary basis, but the ALJ cannot enforce the Commission's discovery rules in such matters.

¹ See, e.g., *Petition of River Bridge Ranch, LLC to Amend Crystal Clear Special Utility District's Certificate of Convenience and Necessity in Hays and Guadalupe Counties by Streamlined Expedited Release*, Docket No. 52889, Order No. 3 (Feb. 16, 2022); *Petition of Rodney Earl Mohnke, et. al. to Amend H-M-W Special Utility District's Certificate of Convenience and Necessity in Harris County by Expedited Release*, Docket No. 51973, Order No. 9 (Sep. 10, 2021); *Petition of Montgomery Estates, LLC to Amend CC Water Works, Inc.'s Certificate of Convenience and Necessity in Chambers County by Expedited Release*, Docket No. 51933, Order No. 5 (Feb. 15, 2022); *Petition of Hot Squares of Austin, Ltd. To Amend Creedmoor-Maha Water Supply Corporation's Certificate of Convenience and Necessity in Caldwell County by Expedited Release*, Docket No. 52415, Order No. 6 (Mar. 29, 2022); *Petition of GJGTEB Holdings, LLC to Amend Creedmoor-Maha Water Supply Corporation's Certificate of Convenience and Necessity in Caldwell County by Expedited Release*, Docket No. 52630, Order No. 6 (Mar. 23, 2022); *Petition of Charles D. Carter to Amend Marilee Special Utility District's Certificate of Convenience and Necessity in Collin County by Streamlined Expedited Release*, Docket No. 52916, Order No. 4 (Mar. 2, 2022); *Petition of Sater, LP to Amend Marilee Special Utility District's Certificate of Convenience and Necessity in Collin County by Expedited Release*, Docket No. 52739, Order No. 8 (Feb. 28, 2022).

Signed at Austin, Texas the 20th day of May 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE