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Received - 2022-07-18 03:55:51 PM

Control Number - 52497

ItemNumber - 37

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. 7
GRANTING EXTENSION REQUEST

In an Order dated April 4, 2022, the Commission granted streamlined expedited release for a tract of land owned by the petitioner. Consistent with Order No. 5 filed on December 3, 2021, Commission Staff was to have filed its appraiser's report by July 13, 2022, which is 100 days after the Order granting release.

By motion filed July 13, 2022, Commission Staff requests an extension of the deadline to August 10, 2022. Commission Staff explains that the extension is necessary due to the unwillingness of the petitioner and the CCN holder to sign an engagement letter with Commission Staff's appraiser.

Under TWC § 13.2541(i) and 16 TAC § 24.245(i)(2)(B), the cost of Commission Staff's appraiser must be borne equally by the CCN holder and the petitioner, not by the Commission. Therefore, Commission Staff is not obligated to submit an appraiser's report without first having received from the petitioner and the CCN holder either payment of each party's half of the cost, or a firm commitment to pay its half of the costs.

The ALJ orders as follows:

- By July 25, 2022, the petitioner and the CCN holder each must either sign the engagement letter with Commission Staff's appraiser or make a payment to Commission Staff's appraiser for half of the cost of his report; and
- By August 10, 2022, Commission Staff must file its appraiser's report.

Signed at Austin, Texas the 18th day of July 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE