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Received - 2021-10-04 11:09:32 AM

Control Number - 52518

ItemNumber - 4

DOCKET NO. 52518

PETITION OF CLIFTON VAN	§	PUBLIC UTILITY COMMISSION
MCKNIGHT AND BRYAN JEFFERY	§	
MCKNIGHT TO AMEND MARILEE	§	OF TEXAS
SPECIAL UTILITY DISTRICT'S WATER	§	
CERTIFICATE OF CONVENIENCE AND	§	
NECESSITY IN COLLIN COUNTY BY	§	
EXPEDITED RELEASE	§	

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND NOTICE**

On September 3, 2021, Clifton Van McKnight and Bryan Jeffery McKnight (Petitioners) 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). The Petitioners assert 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.

On September 7, 2021, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of October 4, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments regarding the administrative completeness of the petition and notice. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the petition and, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the petition is administratively incomplete. Staff further recommends that the Petitioners be ordered to cure the deficiencies identified in Ms. Garcia's memorandum by November 3, 2021 and that Staff be given a deadline of December 3, 2021 to file a supplemental recommendation on the administrative completeness of the petition.

II. PROCEDURAL SCHEDULE

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation that the petition be found administratively complete.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, that the Petitioners be ordered to file supplemental information to cure the deficiencies in the petition by November 3, 2021, and that Staff be given a deadline of December 3, 2021 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: October 4, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Scott Miles
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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 on October 4, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Scott Miles
Scott Miles

Public Utility Commission of Texas

Memorandum

TO: Scott Miles, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: October 4, 2021

RE: Docket No. 52518 – *Petition of Clifton Van McKnight and Bryan Jeffery McKnight to Amend Marilee Special Utility District's Certificate of Convenience and Necessity in Collin County by Expedited Release*

On September 3, 2021, Clifton Van McKnight and Bryan Jeffery McKnight (Petitioners) 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). The Petitioners assert 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.

Based on the mapping review by Tracy Montes, Infrastructure Division, and my technical and managerial review of the information provided by the Petitioners, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Petition Content:

Under 16 TAC § 24.245(h)(3)(D), affidavits attesting that the property is not receiving water and sewer services from the CCN holder are required to be provided as part of the petition request. Two affidavits were provided however neither was signed or notarized.

Mapping Content:

The Petitioners must submit the following item to resolve the mapping deficiencies:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

Staff recommends the Petitioners obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes by email at tracy.montes@puc.texas.gov to resolve the mapping deficiencies.

Staff will need at least 30 days to review the documentation, maps, and digital data provided by the Petitioners and draft a recommendation.