



## Filing Receipt

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<b>PETITION OF EAST TIOGA 581 LP TO</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>AMEND MARILEE SPECIAL UTILITY</b>	<b>§</b>	
<b>DISTRICT'S CERTIFICATE OF</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>GRAYSON COUNTY BY EXPEDITED</b>	<b>§</b>	
<b>RELEASE</b>	<b>§</b>	

**ORDER NO. 6  
ABATING PROCEEDING**

This Order addresses the December 20, 2021 motion to dismiss filed by Marilee Special Utility District. In its motion to dismiss, Marilee SUD asserts that Grayson County is not a qualifying county under Texas Water Code § 13.2541 and 16 Texas Administrative Code § 24.245(h). Specifically, Marilee SUD asserts that the Texas Government Code requires that the population of Grayson County be measured by the 2010 federal census and that Grayson County is not a qualifying county under the 2010 federal census.

A similar question has been certified to the Commission in Docket No. 52556<sup>1</sup> and the Commission is set to consider the question at its January 27, 2022 open meeting.<sup>2</sup> Accordingly, the administrative law judge defers ruling on Marilee SUD's motion to dismiss and abates this proceeding while the certified issue is pending.

**Signed at Austin, Texas the 11th day of January 2022.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**ISAAC TA  
ADMINISTRATIVE LAW JUDGE**

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<sup>1</sup> *Petition of Montgomery Estates, LLC to Amend Gulf Coast Authority's Certificate of Convenience and Necessity in Chambers County by Expedited Release*, Docket No. 52556, Order No. 4 (Dec. 23, 2021).

<sup>2</sup> *Id.*, Commission Counsel's Memo (Jan. 6, 2022).