



## Filing Receipt

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| <b>PETITION OF E REAL ESTATE, LLC</b> | <b>§</b> | <b>PUBLIC UTILITY COMMISSION</b> |
| <b>TO AMEND MARILEE SPECIAL</b>       | <b>§</b> |                                  |
| <b>UTILITY DISTRICT'S CERTIFICATE</b> | <b>§</b> | <b>OF TEXAS</b>                  |
| <b>OF CONVENIENCE AND NECESSITY</b>   | <b>§</b> |                                  |
| <b>IN COLLIN COUNTY BY EXPEDITED</b>  | <b>§</b> |                                  |
| <b>RELEASE (TRACT 5)</b>              | <b>§</b> |                                  |

**ORDER NO. 6**  
**FINDING PETITION, AS AMENDED AND SUPPLEMENTED,**  
**REMAINS ADMINISTRATIVELY INCOMPLETE; AND**  
**ESTABLISHING OPPORTUNITY TO CURE**

This Order addresses the sufficiency of the September 8, 2021 petition and notice filed by E Real Estate, LLC to amend Marilee Special Utility District's water certificate of convenience and necessity (CCN) in Collin County by streamlined expedited release. On October 8 and 26, 2021, E Real Estate filed supplements to the petition. On December 13, 2021, E Real Estate filed a first amended petition. On February 14, 2022, E Real Estate filed a supplement to the amended petition.

On February 28, 2022, Commission Staff filed a recommendation that the petition remains administratively incomplete. Commission Staff states that E Real Estate's responses are insufficient because they do not clarify the discrepancies identified by Commission Staff in Ms. Liu's October 8, 2021 memoranda. Commission Staff also recommends that E Real Estate clarify the discrepancy identified in Commission Staff's last memorandum regarding the typographical error in the amount of acreage in the portion of land called "Tract Three."

In its filing on February 14, 2021, the petitioner continues to maintain that it "owns 221.89 of *contiguous* property identified in the deed attached at Exhibit C-1 in this docket."<sup>1</sup> As best the ALJ can discern, Exhibit C-1 demonstrates that the petitioner owns 224.89 acres of land. However, the maps provided by the petitioner make it clear that not all of this acreage is contiguous. Rather, the acreage consists of two separate tracts—one tract consisting of 164.974 acres, and a second, separate tract consisting of 59.916 acres. As the ALJ understands it, it is the 59.916-acre tract that is at issue in this proceeding.

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<sup>1</sup> Emphasis added.

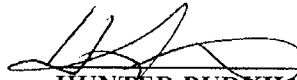
The administrative law judge finds that the petition, as amended and supplemented, remains deficient.

By March 25, 2022, E Real Estate must cure the identified deficiencies.

By April 25, 2022, Commission Staff must make a new recommendation on administrative completeness and propose a procedural schedule, if appropriate.

**Signed at Austin, Texas the 1st day of March 2022.**

PUBLIC UTILITY COMMISSION OF TEXAS



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HUNTER BURKHALTER  
CHIEF ADMINISTRATIVE LAW JUDGE