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DOCKET NO. 52530

PETITION OF E REAL ESTATE, 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

**RETYLING PETITION; FINDING PETITION, AS AMENDED AND SUPPLEMENTED,
ADMINISTRATIVELY COMPLETE; AND ESTABLISHING PROCEDURAL SCHEDULE**

This Order addresses the sufficiency of the petition 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 and March 25, 2022, E Real Estate filed supplements to the amended petition.

I. Restyling Petition

The current style of this case refers to Tract 5. E Real Estate now concedes that the so-called Tract 5 is not at issue in this proceeding. Therefore, the style of this proceeding is revised to delete the reference to Tract 5, as reflected in this Order.

II. Finding Petition Administratively Complete

On April 25, 2022, Commission Staff filed its third supplemental recommendation on administrative completeness and notice. The administrative law judge (ALJ) finds the petition, as amended and supplemented, administratively complete.

The ALJ already found notice to be sufficient in Order No. 5.

III. Establishing Procedural Schedule

Under Texas Water Code (TWC) § 13.2541, the granting of streamlined expedited release initiates an appraisal process to determine the amount of monetary compensation that may be owed by the landowner to the certificate holder for the tract of land that was released. Therefore, an order granting approval for streamlined expedited release is interim in nature and, in the event the requested release is approved, the docket will continue for the purpose of determining the issue of compensation.

The following procedural schedule applies in this case:

Event	Date
Deadline for the certificate of convenience and necessity (CCN) holder to file a response, verified by a notarized affidavit, to the administratively complete petition	May 16, 2022
Deadline for the petitioner to file a reply to the CCN holder's response	May 23, 2022
Deadline for Commission Staff's recommendation on final disposition	June 6, 2022
Sixty-day administrative approval of streamlined expedited release	June 27, 2022 ¹
<i>In the event streamlined expedited release is granted and the petitioner and the CCN holder can select an agreed-upon appraiser</i>	
Deadline for the petitioner and the CCN holder to make a filing stating that they have selected an agreed upon appraiser	Within 10 days after the Commission approves streamlined expedited release
Deadline for appraiser's report	Within 70 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by the petitioner to the CCN holder	Within 60 days after appraiser's report
Deadline for the petitioner to pay any compensation due to the CCN holder	Within 90 days of the Commission's final order on compensation
<i>In the event streamlined expedited release is granted and the petitioner and the CCN holder are unable to select an agreed-upon appraiser</i>	
Deadline for the petitioner and the CCN holder to make a filing stating that they have been unable to select an agreed upon appraiser	Within 10 days after the Commission approves streamlined expedited release
Deadline for reports from the petitioner's appraiser and the CCN holder's appraiser	Within 70 days after the Commission approves streamlined expedited release
Deadline for Commission Staff's appraiser's report	Within 100 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by the petitioner to the CCN holder	Within 60 days after Commission receives the final appraisal
Deadline for the petitioner to pay any compensation due to the CCN holder	Within 90 days of Commission's final order on compensation

¹ The 60-day deadline ends on Saturday, June 25, 2022; therefore, under 16 Texas Administrative Code § 22.4(a), the deadline moves to the next day in which the Commission is open for business.

Signed at Austin, Texas the 26th day of April 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE

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