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Public Utility Commission of Texas

TO: Stephen Journeay
Commission Counsel

All Parties of Record

FROM: Hunter Burkhalter 
Chief Administrative Law Judge

RE: **Docket No. 52536** – *Petition of E Real Estate, LLC to Amend Marilee Special Utility District's Certificate of Convenience and Necessity in Collin County by Expedited Release (Mesouaokee Ranch)*

DATE: May 27, 2022

On April 11, 2022, I filed a Proposed Order in the above-referenced case. In the Proposed Order, I recommended that the Commission release a tract of land owned by E Real Estate, LLC from Marilee Special Utility District's certificated service area. As indicated in the Proposed Order, there are two inactive water meters located just inside the boundaries of the tract of land and a water line that serves at least one of the meters.

Yesterday, the Commission considered a Proposed Order that would have granted streamlined expedited release in Docket No. 52534.¹ The relevant facts in Docket No. 52534 are very similar to those in the present docket. Specifically, just as in the present docket, there were two inactive water meters on the petitioner's tract of land. In Docket No. 52534, the Commission declined to adopt the Proposed Order due to the presence of the two meters on the tract of land. The Commission remanded the case in order to give the petitioner an opportunity to amend its petition to exclude the area where the meters are located from its petition.

The purpose of this memo is to notify the Commission that, in light of the Commission's treatment of this issue in Docket No. 52534, I have today filed Order No. 5 in which I withdrew the Proposed Order in this docket.

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¹ *Petition of Central Frisco, Ltd. to Amend Marilee Special Utility District's Certificate of Convenience and Necessity in Collin County by Expedited Release*, Docket No. 52534, Order Remanding to Docket Management (May 26, 2022).

