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DOCKET NO. 52536

PETITION OF E REAL ESTATE TO	§	PUBLIC UTILITY COMMISSION
AMEND MARILEE SPECIAL UTILITY	§	
DISTRICT'S WATER CERTIFICATE	§	OF TEXAS
OF CONVENIENCE AND NECESSITY	§	
IN COLLIN COUNTY BY EXPEDITED	§	
RELEASE (MESOUAOKEE RANCH)	§	

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

On September 8, 2021, E Real Estate, LLC (E Real Estate) 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). E Real Estate asserts 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. E Real Estate filed supplemental information on October 20, 2021 and October 26, 2021.

On October 11, 2021, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of December 8, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on the administrative completeness of the petition and notice and to propose a procedural schedule. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the petition and supplemental information and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, recommends that the petition remains administratively incomplete. Staff further recommends that E Real Estate be ordered to cure the deficiencies identified in Ms. Mathis's memorandum by January 7, 2022 and that Staff be given a deadline of February 21, 2021 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests adoption of these proposed deadlines, as the noted deficiencies are related to mapping information, and Staff's mapping experts may require the assistance of E Real Estate regarding the supplemental mapping information needed to cure the mapping deficiencies and will require at least 30 days to review same.

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 and that E Real Estate be ordered to file supplemental information to cure the deficiencies in the petition by January 7, 2022. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: December 8, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

/s/ Merritt Lander
Merritt Lander
State Bar No. 24106183
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7290
(512) 936-7268 (facsimile)
Merritt.Lander@puc.texas.gov

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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 December 8, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Merritt Lander _____
Merritt Lander

Public Utility Commission of Texas

Memorandum

TO: Merritt Lander, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: December 3, 2021

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)*

On September 8, 2021, E Real Estate, LLC (E Real Estate) 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). E Real Estate asserts 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 E Real Estate, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Mapping Content:

Maps and digital mapping data submitted on October 26, 2021 are deficient.

Petitioner must submit the following items to resolve the mapping deficiencies:

- A revised detailed map identifying the outer boundary of each tract of land conveyed in the deed, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for each tract of land conveyed in the deed, provided 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 Petitioner 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.