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DOCKET NO. 52542

**PETITION OF MESQUOAKEE RANCH, § PUBLIC UTILITY COMMISSION
LLC TO AMEND MARILEE SPECIAL §
UTILITY DISTRICT'S CERTIFICATE § OF TEXAS
OF CONVENIENCE AND NECESSITY §
IN COLLIN COUNTY BY EXPEDITED §
RELEASE §**

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

On September 9, 2021, Mesquaukee Ranch, LLC (Mesquaukee Ranch) filed a petition for streamlined expedited release from Marilee Special Utility District's (Marilee SUD) water Certificate of Convenience and Necessity (CCN) No. 10150 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Mesquaukee Ranch 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. Mesquaukee Ranch filed an amended petition on September 23, 2021.

On September 27, 2021, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of October 21, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments regarding the administrative completeness of the petition and notice and whether the petition, as amended, should be severed into multiple petitions addressing multiple tracts. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the amended petition and, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the petition is administratively incomplete. Staff further recommends that Mesquaukee Ranch be ordered to cure the deficiencies identified in Ms. Garcia's memorandum by November 5, 2021 and that Staff be given a deadline of December 6, 2021 to file a supplemental recommendation on the administrative completeness of the petition.

II. PROCEDURAL SCHEDULE AND SEVERANCE

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. Additionally, Staff defers making its recommendation on whether the petition should be severed into multiple petitions addressing multiple tracts until Staff files 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, that Mesquoakee Ranch be ordered to file supplemental information to cure the deficiencies in the petition by November 5, 2021, and that Staff be given a deadline of December 6, 2021 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: October 21, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Scott Miles
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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 October 21, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Scott Miles
Scott Miles

Public Utility Commission of Texas

Memorandum

TO: Scott Miles, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: October 21, 2021

RE: Docket No. 52542 – *Petition of Mesquoakee Ranch, LLC to Amend Marilee Special Utility District's Certificate of Convenience and Necessity in Collin County by Expedited Release*

On September 9, 2021, Mesquoakee Ranch, LLC (Mesquoakee Ranch) 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). Mesquoakee Ranch 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 Gary Horton, Infrastructure Division, and my technical and managerial review of the additional information provided by Mesquoakee Ranch on September 23, 2021 and October 8, 2021, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Mapping Content:

Maps submitted on September 9, 2021, September 23, 2021, and October 8, 2021 are deficient. Mesquoakee Ranch must submit the following item to resolve the mapping deficiencies:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested area, 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); **OR** metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.

Staff will need at least 30 days to review the documentation, maps, and digital data provided by Mesquoakee Ranch and draft a recommendation. In the event Mesquoakee Ranch has questions regarding the filing of revised maps and digital data, please reach out to Gary Horton at gary.horton@puc.texas.gov.