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Office of the Executive Director

**BRANDON CREIGHTON**

STATE SENATOR  
DISTRICT 4

February 7, 2022

Public Utility Commission of Texas  
P.O. Box 13326  
Austin, Texas 78711-3326

**In re: Application of population under Texas Water Code §13.2541(b)**

Dear Commissioners:

I was the sponsor of Senate Bill 573 in the Texas House of Representatives, which passed in the 82<sup>nd</sup> Regular Legislative Session (the "Act"). The Act created the procedure for Streamlined Expedited Release ("SER") from a Certificate of Convenience and Necessity ("CCN") by a landowner. The purpose of the Act is to allow a landowner to be released from a CCN if the CCN holder is not providing service in a manner that is not cumbersome and costly for landowner. Otherwise, there is a disincentive for developers to buy and develop land within a CCN because of the cost to be released or the fear of not being released from a non-serving CCN. The Act made it clear that if a landowner of 25 acres or more is not receiving water or wastewater and is in a county of one million or more, or adjacent counties, it shall be provided SER.

It has recently come to my attention that pending SER matters before the Public Utility Commission may be subject to dismissal because of application of 2010 Federal Census data to the Act rather than 2020 Federal Census data. The Act was intended to keep pace with population in high-growth counties and allow land development to occur in a cost-efficient manner that is a benefit to Texas homebuyers. While there was a delay in certification of the 2020 census, this should not delay landowners in counties with new populations of over one million, or those adjacent counties, from participating in SER as intended by the Act.

As always, thank you for your hard work on behalf of the great state of Texas.

Sincerely,

A handwritten signature in black ink that reads "Brandon Creighton".

Brandon Creighton  
Texas State Senator  
District 4

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