



## Filing Receipt

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**DOCKET NO. 52556**

<b>PETITION OF MONTGOMERY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>ESTATES, LLC TO AMEND GULF</b>	<b>§</b>	
<b>COAST AUTHORITY'S CERTIFICATE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OF CONVENIENCE AND NECESSITY</b>	<b>§</b>	
<b>IN CHAMBERS COUNTY BY</b>	<b>§</b>	
<b>EXPEDITED RELEASE</b>	<b>§</b>	

**NOTICE OF APPROVAL  
MAKING A DETERMINATION ON COMPENSATION**

In this Notice of Approval, the Commission determines that, for the streamlined expedited release granted in this docket, Montgomery Estates, LLC owes no compensation to Gulf Coast Authority under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from Gulf Coast Authority's certificated service area under certificate of convenience and necessity (CCN) number 20465. The Commission's determination on compensation is based on an agreement between Montgomery Estates and Gulf Coast Authority.

**I. Findings of Fact**

The Commission makes the following findings of fact.

**Petitioner**

1. Montgomery Estates is a Texas limited liability company registered with the Texas secretary of state under filing number 803220296.

**CCN Holder**

2. Gulf Coast is a conservation and reclamation district that holds CCN number 20465 that obligates it to provide retail sewer service in its certificated service area in Brazoria, Chambers, Galveston, and Harris counties.

**Petition**

3. On September 13, 2021, the petitioner filed a petition for streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 20465.
4. In Order No. 6 filed on February 11, 2022, the Commission granted the petition and released the petitioner's tract of land from the CCN holder's certificated service area.

5. Ordering paragraph seven of Order No. 6 states that this docket would continue for the purpose of determining compensation in accordance with the schedule adopted in Order No. 2 filed on October 14, 2021.

#### **Appraisers and Appraisals**

6. No appraisers are needed to determine compensation in this docket because of the agreement between the petitioner and the CCN holder

#### **Compensation**

7. On February 14, 2022, the petitioner and the CCN holder filed a joint notice of agreement regarding appraisers and compensation, in which they stipulated that no compensation is owed to the CCN holder as a result of the streamlined expedited release.

### **II. Conclusions of Law**

The Commission makes the following conclusions of law.

1. The Commission has authority to determine the amount of compensation to be awarded after granting streamlined expedited release under TWC §§ 13.254 and 13.2541.
2. No notice is required to determine the amount of compensation.
3. No opportunity for a hearing to determine compensation for streamlined expedited release is provided under TWC § 13.2541 or 16 Texas Administrative Code (TAC) § 24.245(h)(7).
4. The determination on compensation under TWC § 13.2541 and 16 TAC § 24.245(i) is not a contested case.
5. Under 16 TAC § 24.245(i)(1), if the former CCN holder and landowner agree on the amount of compensation to be paid, they may forego the appraisal process and make a joint filing with the Commission stating the amount of the compensation to be paid.
6. No compensation is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.
7. The Commission processed the petition in accordance with the TWC and Commission rules.

### **III. Ordering Paragraphs**

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. No compensation is owed by the petitioner to the CCN holder for the streamlined expedited release.
2. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

**Signed at Austin, Texas the 18th day of February 2022.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK**  
**ADMINISTRATIVE LAW JUDGE**