



Filing Receipt

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DOCKET NO. 52556

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

COMMISSION STAFF'S FINAL RECOMMENDATION

On September 13, 2021, Montgomery Estates, LLC (Montgomery Estates) filed a petition for streamlined expedited release from Gulf Coast Authority's (Gulf Coast) sewer certificate of convenience and necessity (CCN) number 20465 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Montgomery Estates asserts that the land to be released is at least 25 contiguous acres, is not receiving water service, and is located in Chambers County, which is a qualifying county.

On October 14, 2021, the administrative law judge (ALJ) filed Order No. 2 requiring the Staff of the Public Utility Commission of Texas (Staff) to file its final recommendation by November 17, 2021. Therefore, this pleading is timely filed.

I. STAFF'S FINAL RECOMMENDATION

As detailed in the attached memorandum of Patricia Garcia of the Commission's Infrastructure Division, Staff recommends that the petition be approved and that a final map and certificate be provided to the CCN holder. Staff respectfully requests the issuance of an order consistent with this recommendation. Finally, Staff recommends that the existing procedural schedule established in Order No. 2 be used for the further processing of this matter.

II. CONCLUSION

Staff respectfully recommends that Montgomery Estates' petition be approved and that the ALJ issue an order consistent with this recommendation.

Dated: November 17, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
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/s/ John Harrison
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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 via electronic mail on November 17, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ John Harrison
John Harrison

Public Utility Commission of Texas

Memorandum

TO: John Harrison, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: November 17, 2021

RE: Docket No. 52556 – *Petition of Montgomery Estates, LLC to Amend Gulf Coast Authority's Certificate of Convenience and Necessity in Chambers County by Expedited Release*

On September 13, 2021, Montgomery Estates, LLC (Montgomery Estates) filed a petition for streamlined expedited release from Gulf Coast Authority's (Gulf Coast) sewer certificate of convenience and necessity (CCN) No. 20465 in Chambers County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Montgomery Estates asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Chambers County, which is a qualifying county.

Gary Horton, Infrastructure Division, determined the map and digital data are sufficient for determining that the tract of land considered for streamlined expedited release is located within Gulf Coast's sewer CCN. Furthermore, Montgomery Estates provided a warranty deed confirming ownership of the tract of land within Gulf Coast's certificated service area. In addition, Montgomery Estates submitted a sworn affidavit attesting that the property was not receiving sewer service from the CCN holder.

Based on the mapping review by Mr. Horton, it was determined the entire tract of land is approximately 147 acres. The area to be released from Gulf Coast Authority (CCN No. 20465) is approximately 147 acres.

Gulf Coast did not request to intervene.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Montgomery Estates has met the Commission's requirements to allow for the release of the tract of land from Gulf Coast's CCN No. 20465. Therefore, I recommend approval of the petition. Enclosed is a final map and certificate for Commission approval.

Additionally, I recommend that a final map and certificate be provided to the CCN holder.



Public Utility Commission Of Texas

By These Presents Be It Known To All That

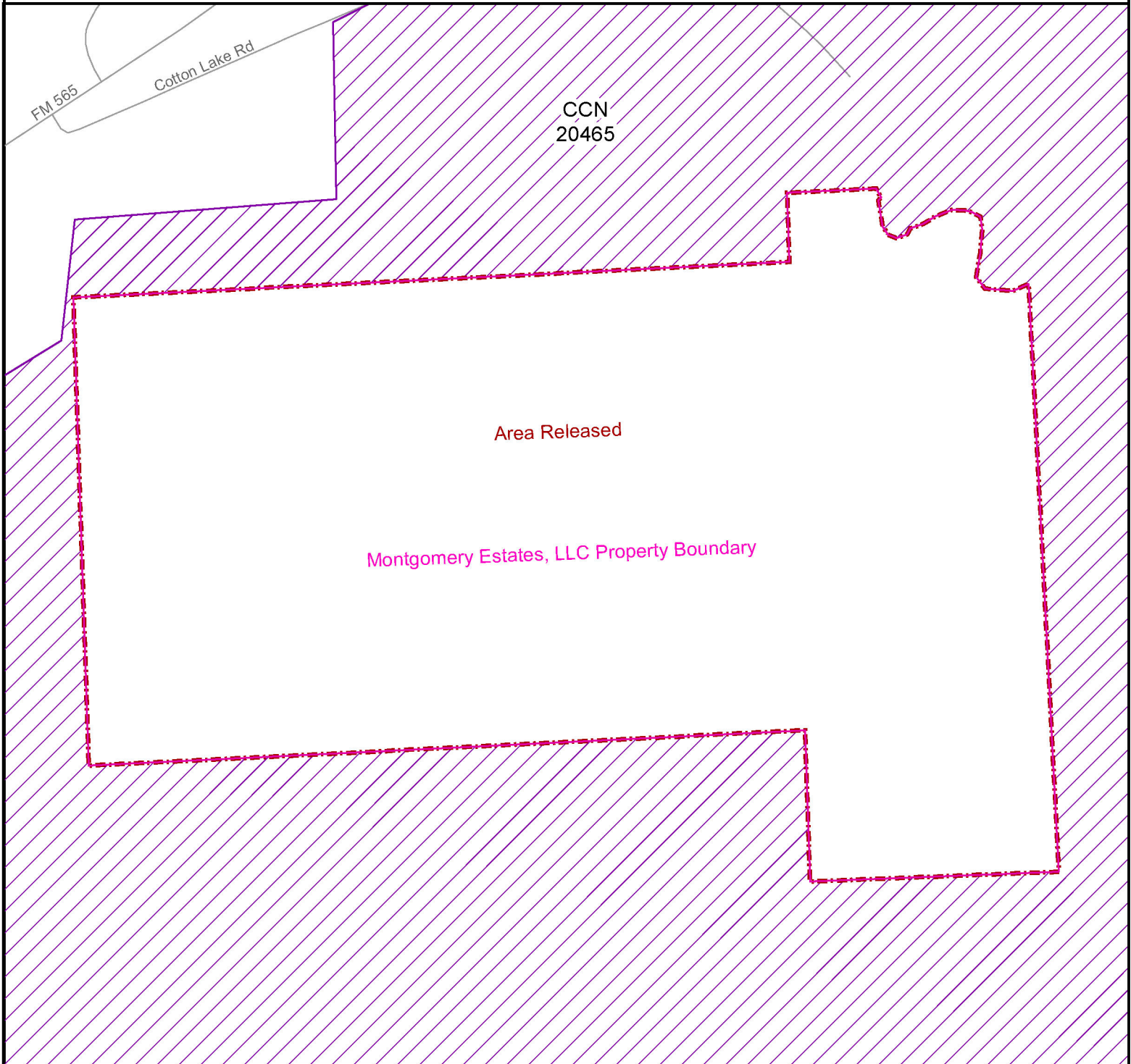
Gulf Coast Authority

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Gulf Coast Authority is entitled to this

Certificate of Convenience and Necessity No. 20465

to provide continuous and adequate sewer utility service to that service area or those service areas in Chambers, Galveston and Harris Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52556 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Gulf Coast Authority to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Gulf Coast Authority
Portion of Sewer CCN No. 20465
PUC Docket No. 52556
Petition by Montgomery Estates, LLC to Amend
Gulf Coast Authority's CCN by Expedited Release in Smith County



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Sewer CCN

 20465 - Gulf Coast Authority

 Area Released

 Property Boundary

0 250 500
Feet



Map by: Komal Patel
Date: November 1, 2021
Project: 52556GulfCoastAuthority.mxd