



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	§	

**ORDER NO. 3
REQUIRING CLARIFICATION**

This Order addresses the petition of Montgomery Estates, LLC for streamlined expedited release of a tract of land in Chambers County from the service area under sewer certificate of convenience and necessity (CCN) number 20465. Gulf Coast Authority's (Gulf Coast) is the holder of CCN number 20465. In its petition, Montgomery Estates argues that Chambers County is listed on the Commission's streamlined expedited release "Approved List of Counties" guidance document.

On November 17, 2021, Commission Staff recommended that the petition be approved. In its recommendation, Commission Staff identified Chambers County as a qualifying county.

TWC § 13.2541(b) states:

[T]he owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for expedited release of the area from a certificate of public convenience and necessity in the manner provided by this section and is entitled to that release if the landowner's property is located in a county with a population of at least one million, a county adjacent to a county with a population of at least one million, or a county with a population of more than 200,000 and less than 220,000 that does not contain a public or private university that had a total enrollment in the most recent fall semester of 40,000 or more, and not in a county that has a population of *more than 45,500 and less than 47,500*.¹

In other words, a county is not a qualifying county if its population is between 45,500 and 47,500.

On or before December 9, 2021, the parties must jointly clarify the population of Chambers County because the petition only says Chambers County is on the list of approved counties by the Commission and does not include any other supporting facts. While the Commission may publish

¹ Emphasis added.

guidance documents to assist regulated entities, these documents do not have the force of law and do not supplant statutory provisions.

Signed at Austin, Texas the 3rd day of December 2021.

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

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