



Filing Receipt

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DOCKET NO. 52556

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| 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 | § | |

STAFF’S CLARIFICATION FILING

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 December 3, 2021, the administrative law judge (ALJ) filed Order No. 3 requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) and Montgomery Estates (collectively, the Parties) to jointly clarify the population of Chambers County. Staff has corresponded with Montgomery Estates who has indicated they will be filing a separate pleading today. Therefore, this Staff pleading is timely filed.

I. POPULATION CLARIFICATION

According to the 2020 U.S. Census Data, the current population of Chambers County is 46,571.¹ The population estimate for Chambers County on July 1, 2019 provided by the U.S. Census Bureau, Population Estimates Program (PEP) was 43,837.² As noted by the ALJ in Order No. 3, a county with a population that is “more than 45,500 and less than 47,500” is not a qualifying county under Texas Water Code (TWC) § 13.2541(b).

¹ U.S. Census Bureau, Census Data for Chambers County QuickFacts Chambers County, Texas (2020) <https://www.census.gov/quickfacts/fact/table/chamberscountytexas/POP010220>.

² *Id.*

The updated Census population data was released in December 2021.³ The petition was found administratively complete by the ALJ on October 14, 2021 in Order No. 2. Chambers County is not a qualifying county under (TWC) § 13.2541(b), using the 2020 official census numbers, but it was a qualifying county under the 2019 estimate numbers. The ability of Montgomery Estates to receive a streamlined expedited release from Gulf Coast's sewer CCN number 20465 depends upon which population number is used. Under the data that was available when the application was filed and when it was found administratively complete, Chambers County was a qualifying county; however, under the census data that was released in December 2021, Chambers County is not a qualifying County.

II. CONCLUSION

Staff respectfully requests that the foregoing information be taken into consideration.

Dated: December 9, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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³ U.S. Census Bureau, Schedule (2020) <https://www.census.gov/programs-surveys/popest/about/schedule.html>.

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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 December 9, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ John Harrison
John Harrison