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Received - 2022-01-12 01:53:12 PM
Control Number - 52630
ItemNumber - 15

DOCKET NO. 52630

PETITION OF GJGTEB HOLDINGS,	§	PUBLIC UTILITY COMMISSION
LLC TO AMEND CREEDMOOR-	§	
MAHA WATER SUPPLY	§	OF TEXAS
CORPORATION’S CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
CALDWELL COUNTY BY EXPEDITED	§	
RELEASE	§	

**ORDER NO. 4
ABATING PROCEEDING**

On September 23, 2021, GJGTEB Holdings, LLC filed a petition to amend Creedmoor-Maha Water Supply Corporation’s water certificate of convenience and necessity number 11029 in Caldwell County by streamlined expedited release. In Order No. 2 filed on October 27, 2021, the administrative law judge (ALJ) found the petition administratively complete.

On December 13, 2021, Commission Staff made a clarification filing to clarify the population of Caldwell County. Commission Staff stated that according to the 2020 U.S. Census Data that was just released in December 2021,¹ the current population of Caldwell County is 45,883,² while the population estimate for Caldwell County as of July 1, 2019 was 43,664.³ Thus, at the time the petition was found administratively complete⁴ and deemed to be filed,⁵ the tract of land was in a qualifying county according to the population data known as of that date. On the other hand, as of December 2021, the tract of land would no longer be considered to be in a qualifying county.

The ALJ believes the following issue must be addressed before further processing of the petition:

¹ U.S. Census Bureau, Schedule (2020), <https://www.census.gov/programs-surveys/popest/about/schedule.html>

² U.S. Census Bureau, Census Data for Caldwell County, QuickFacts Caldwell County, Texas (2020) <https://www.census.gov/quickfacts/fact/table/caldwellcountytexas/POP010220>

³ *Id.*

⁴ Order No. 2 Finding Petition Administratively Complete and Notice Sufficient, and Establishing Procedural Schedule (Oct. 27, 2021).

⁵ 16 TAC § 24.8(d)

For purposes of identifying whether a county is a qualifying county under TWC § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h)(2), is population of a county determined at the time the petition is filed, at the time the petition is deemed administratively complete, or at the time the Commission issues a decision on the request for release?

The ALJ believes the question is an appropriate issue for certification to the Commission under 16 TAC § 22.127(b)(1). The same question has been certified to the Commission in Docket No. 52556.⁶

Accordingly, the ALJ abates this proceeding while the certified issue is pending.

Signed at Austin, Texas the 12th day of January 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



GREGORY R. SIEMANKOWSKI
ADMINISTRATIVE LAW JUDGE

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⁶ *Petition of Montgomery Estates, LLC to Amend Gulf Coast Authority's Certificate of Convenience and Necessity in Chambers County by Expedited Release*, Docket No. 52556, (Pending.)