



## Filing Receipt

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**ItemNumber - 16**

**DOCKET NO. 52630**

<b>PETITION OF GJGTEB HOLDINGS, LLC TO AMEND CREEDMOOR- MAHA WATER SUPPLY CORPORATION'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN CALDWELL COUNTY BY EXPEDITED RELEASE</b>	<b>§ § § § § § §</b>	<b>PUBLIC UTILITY COMMISSION       OF TEXAS</b>
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**ORDER NO. 5  
LIFTING ABATEMENT**

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,<sup>1</sup> the current population of Caldwell County is 45,883,<sup>2</sup> while the population estimate for Caldwell County as of July 1, 2019 was 43,664.<sup>3</sup> Thus, at the time the petition was found administratively complete<sup>4</sup> and deemed to be filed,<sup>5</sup> 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.

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

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

<sup>3</sup> *Id.*

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

<sup>5</sup> 16 TAC § 24.8(d)

The question was certified to the Commission in Docket No. 52556.<sup>6</sup> The Commission stated that Texas Government Code § 2058.0021 controls this issue, and that the 2010 federal census is the applicable source for determining whether the population of a given county meets the limits specified in Texas Water Code § 13.2541(b) and 16 Texas Administrative Code § 24.245(h)(2).<sup>7</sup>

Accordingly, the administrative law judge lifts the abatement.

**Signed at Austin, Texas the 15th day of February 2022.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**GREGORY R. SIEMANKOWSKI**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>6</sup> *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.)

<sup>7</sup> *Id.* p.3