



Filing Receipt

Received - 2022-07-12 03:32:23 PM

Control Number - 52694

ItemNumber - 15

DOCKET NO. 52694

PETITION OF BEN F. VAUGHAN, III,	§	PUBLIC UTILITY COMMISSION
AND FROST BANK, AS CO-TRUSTEES	§	
OF THE GENEVIEVE TARLTON	§	OF TEXAS
DOUGHERTY TRUST NO. 2, FOR BEN	§	
F. VAUGHAN, III; JAMES CULLEN	§	
VAUGHAN, AS TRUSTEE OF THE	§	
JAMES CULLEN VAUGHAN GST	§	
EXEMPT TRUST; AND CATHERINE A.	§	
PAYER, AS TRUSTEE OF THE	§	
RACHEL CATHERINE VAUGHAN	§	
GST EXEMPT TRUST, AS TRUSTEE	§	
OF THE DANIEL BENJAMIN	§	
VAUGHAN GST EXEMPT TRUST, AND	§	
AS TRUSTEE OF THE PATRICK	§	
MICHAEL VAUGHAN GST EXEMPT	§	
TRUST TO AMEND AQUA WATER	§	
SUPPLY CORPORATION'S	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN BASTROP	§	
COUNTY BY EXPEDITED RELEASE	§	

ORDER NO. 6
FINDING PETITION ADMINISTRATIVELY COMPLETE AND NOTICE
SUFFICIENT, AND ESTABLISHING PROCEDURAL SCHEDULE

This Order addresses the sufficiency of the petition of Ben F. Vaughan, III, and Frost Bank, as Co-Trustees of the Genevieve Tarlton Dougherty Trust No. 2, for Ben F. Vaughan, III; James Cullen Vaughan, as Trustee of the James Cullen Vaughan GST Exempt Trust; and Catherine A. Payer, as Trustee of the Rachel Catherine Vaughan GST Exempt Trust, as Trustee of the Daniel Benjamin Vaughan GST Exempt Trust, and as Trustee of the Patrick Michael Vaughan GST Exempt Trust to amend Aqua Water Supply Corporation's certificate of convenience and necessity (CCN) number 20962 in Bastrop County by expedited release. On March 31 and June 1, 2022, the petitioner supplemented the petition.

I. Finding Application Administratively Complete and Notice Sufficient

On July 11, 2022, Commission Staff recommended that the petition, as amended, be found administratively complete, and notice be found sufficient. The administrative law judge (ALJ) finds the petition administratively complete and notice sufficient. The finding of administrative completeness does not address the merits of the petition.

II. Establishing Procedural Schedule

Under Texas Water Code (TWC) § 13.2541, the granting of streamlined expedited release initiates an appraisal process to determine the amount of monetary compensation that may be owed by the landowner to the certificate holder for the tract of land that was released. Therefore, an order granting approval for streamlined expedited release is interim in nature and, in the event the requested release is approved, the docket will continue for the purpose of determining the issue of compensation.

The following procedural schedule applies in this case:

Event	Date
Deadline for the CCN holder to file a response, verified by a notarized affidavit, to the administratively complete petition	August 1, 2022
Deadline for petitioner to file a reply to CCN holder's response to the administratively complete petition	August 8, 2022
Deadline for Commission Staff's recommendation on final disposition	August 22, 2022
Sixty-day administrative approval of streamlined expedited release	September 12, 2022 ¹
<i>In the event streamlined expedited release is granted and the petitioner and the CCN holder can select an agreed-upon appraiser</i>	
Deadline for the petitioner and the CCN holder to make a filing stating that they have selected an agreed upon appraiser	Within 10 days after the Commission approves streamlined expedited release
Deadline for appraiser's report	Within 70 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by the petitioner to the CCN holder	Within 60 days after appraiser's report
Deadline for the petitioner to pay any compensation due to the CCN holder	Within 90 days of the Commission's final order on compensation
<i>In the event streamlined expedited release is granted and the petitioner and the CCN holder are unable to select an agreed-upon appraiser</i>	
Deadline for the petitioner and the CCN holder to make a filing stating that they have been unable to select an agreed upon appraiser	Within 10 days after the Commission approves streamlined expedited release
Deadline for reports from the petitioner's appraiser and the CCN holder's appraiser	Within 70 days after the Commission approves streamlined expedited release

¹ The 60-day deadline for administrative approval falls on Saturday, September 10, 2022. The deadline moves to the next day the Commission is open for business, Monday, September 12, 2022.

Deadline for Commission Staff's appraiser's report	Within 100 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by the petitioner to the CCN holder	Within 60 days after Commission receives the final appraisal
Deadline for the petitioner to pay any compensation due to the CCN holder	Within 90 days of Commission's final order on compensation

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

PUBLIC UTILITY COMMISSION OF TEXAS


HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE