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DOCKET NO. 52792

PETITION OF PETRUS INVESTMENT,	§	PUBLIC UTILITY COMMISSION
LP TO AMEND AQUA TEXAS INC.'S	§	
CERTIFICATE OF CONVENIENCE	§	OF TEXAS
AND NECESSITY IN DENTON	§	
COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE	§	

**NOTICE OF APPROVAL
MAKING A DETERMINATION ON COMPENSATION**

In this Notice of Approval, the Commission determines that, for the streamlined expedited release granted in this docket, Petrus Investment, LP owes compensation in the amount of \$10,000 to Aqua Texas Inc. under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed Petrus Investment's tract of land from Aqua Texas' certificated service area under certificate of convenience and necessity (CCN) number 13201 in Denton County. The Commission's determination on compensation is based on an agreement between Petrus Investment and Aqua Texas.

I. Findings of Fact

The Commission makes the following findings of fact.

Petitioner

1. Petrus Investment is a Texas limited partnership registered with the Texas secretary of state under filing number 6257010.

CCN Holder

2. Aqua Texas is a Texas corporation registered with the Texas secretary of state under filing number 800304878.
3. Aqua Texas holds CCN number 13201 that obligates it to provide retail water service in its certificated service area in Denton County.

Petition

4. On November 5, 2021, the petitioner filed a petition for streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 13201.

5. In an Order filed on June 30, 2022, the Commission granted the petition and released the tract of land from the CCN holder's certificated service area.
6. Ordering paragraph seven of the June 30, 2022 Order stated that, if streamlined expedited release was granted, this proceeding would continue for the purpose of determining compensation in accordance with the schedule adopted in Order No. 3.

Appraisers and Appraisals

7. On July 11, 2022, the petitioner and CCN holder filed a joint notice that they were unable to select an agreed-upon appraiser.
8. In Order No. 6 filed on September 7, 2022, the administrative law judge granted the petitioner and CCN holder's request for an extension and set a deadline of November 7, 2022, for the petitioner and CCN holder to submit appraisers' reports.
9. No appraisers are needed to determine compensation in this docket because of the agreement between the petitioner and CCN holder.
10. On November 7, 2022, the petitioner and CCN holder filed a joint notice of agreement regarding compensation.

Compensation

11. On November 21, 2022, the petitioner and the CCN holder filed a joint notice of agreement regarding compensation in which they agreed that compensation in the amount of \$10,000 is owed to the CCN holder as a result of the streamlined expedited release.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority to determine the amount of compensation to be awarded after granting streamlined expedited release under TWC §§ 13.254 and 13.2541.
2. No notice is required to determine the amount of compensation.
3. No opportunity for a hearing to determine compensation for streamlined expedited release is provided under TWC § 13.2541 or 16 Texas Administrative Code (TAC) § 24.245(h)(7).
4. The determination on compensation under TWC § 13.2541 and 16 TAC § 24.245(i) is not a contested case.

5. Under 16 TAC § 24.245(i)(1), if the petitioner and CCN holder agree on the amount of compensation to be paid, they may forego the appraisal process and make a joint filing with the Commission stating the amount of the compensation to be paid.
6. Compensation in the amount of \$10,000 is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.
7. The Commission processed the petition in accordance with the TWC and Commission rules.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The petitioner must pay to the CCN holder compensation in the amount of \$10,000 within 90 days from the date of this Notice of Approval.¹
2. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 22nd day of November 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE

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¹ This implements the payment deadline mandated by 16 TAC § 24.254(i)(6). The parties are free to agree, via contract, to a shorter payment deadline.