



Filing Receipt

Received - 2022-04-04 11:12:20 AM
Control Number - 52916
ItemNumber - 18

DOCKET NO. 52916

PETITION OF CHARLES D. CARTER	§	PUBLIC UTILITY COMMISSION
TO MARILEE SPECIAL UTILITY	§	
DISTRICT'S WATER CERTIFICATE	§	OF TEXAS
OF CONVENIENCE AND NECESSITY	§	
IN COLLIN COUNTY BY EXPEDITED	§	
RELEASE	§	

COMMISSION STAFF'S REQUEST FOR EXTENSION AND CLARIFICATION

On December 3, 2021, Charles D. Carter (Mr. Carter) filed a petition for streamlined expedited release from Marilee Special Utility District's (Marilee SUD) water certificate of convenience and necessity (CCN) number 10150 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Mr. Carter asserts that the land to be released is at least 25 contiguous acres, is not receiving sewer service, and is located in Collin County, which is a qualifying county. Mr. Carter filed supplemental information on January 20, 2022.

On March 8, 2022, the administrative law judge filed (ALJ) Order No. 5 establishing a deadline of April 5, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file supplemental a supplemental recommendation on sufficiency of the petition and notice and propose a procedural schedule. Therefore, this pleading is timely filed.

I. REQUEST FOR EXTENSION

Pursuant to 16 TAC § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Staff requires additional time to review the information filed on March 22, 2022. Accordingly, Staff requests that the deadline to file supplemental recommendation on sufficiency of the petition and notice and propose a procedural schedule be extended to April 30, 2022.

II. REQUEST FOR CLARIFICATION

As indicated above, on March 8, 2022, the ALJ filed Order No. 5. In that order, Carter Family Farms, LLC was ordered to file an amended petition with information to cure deficiencies identified in Commission Staff's memorandum by March 22, 2022. On March 22, 2022, the First Amended Petition for Expedited Release Pursuant to Texas Water Code Section 13.2541 was filed. In that filing, the named party was to be changed from Mr. Carter and Carter

Family Farms, LLC to Sater, L.P. (Sater). Sater is asking for the docket to be restyled and to add an additional 129.977 acres of land that was the subject of Docket No. 52917. Staff requests clarification whether the docket has been restyled and whether Staff can proceed with the newly named party. Therefore, Staff respectfully requests clarification on the styling of this proceeding moving forward.

III. CONCLUSION

Staff respectfully requests an order consistent with the foregoing requests.

Dated: April 4, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Keith Rogas
Division Director

Marisa Lopez Wagley
Managing Attorney

/s/ Anthony Kanalas
Anthony Kanalas
State Bar No. 24125640
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7459
(512) 936-7268 (facsimile)
Anthony.Kanalas@puc.texas.gov

DOCKET NO. 52916

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 April 4, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Anthony Kanalas
Anthony Kanalas