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DOCKET NO. 53085

PETITION OF INSPIRATION WEST,	§	PUBLIC UTILITY COMMISSION
LLC TO AMEND SEIS LAGOS	§	
UTILITY DISTRICT'S SEWER	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN COLLIN	§	
COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE	§	

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND NOTICE**

On January 12, 2022, Inspiration West, LLC (Inspiration West) filed a petition for streamlined expedited release from Seis Lagos Utility District's (Seis Lagos) sewer Certificate of Convenience and Necessity (CCN) No. 20502 under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Inspiration West asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Collin County, which is a qualifying county. Inspiration West filed supplemental information on March 8, 2022.

On February 17, 2022, the administrative law judge (ALJ) filed Corrected Order No. 2, establishing a deadline of April 14, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file supplemental comments regarding the administrative completeness of the petition and notice. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the petition and supplemental information and, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the petition is administratively complete. Staff's recommendation on administrative completeness is not a comment on the merits of the petition.

II. NOTICE SUFFICIENCY

Under 16 TAC § 24.245(h)(3)(f), a landowner seeking streamlined expedited release must provide proof that a copy of the petition has been mailed to the current CCN holder via certified mail on the day that the landowner submits the petition to the Commission. Inspiration West included a certificate of service in the petition stating that it mailed a copy of its petition to the

CCN holder, Seis Lagos, by certified mail on the day the petition was filed with the Commission. Accordingly, Staff recommends that the notice is sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

Under 16 TAC § 24.245(h)(7), there is an expedited deadline of 60 days for approval of the requested release that begins once the ALJ issues an order finding a petition administratively complete. Staff recommends that the petition be found administratively complete. Therefore, Staff proposes the following procedural schedule and requests that the ALJ populate the deadlines accordingly when the ALJ issues that order.

Event	Date
Deadline for Seis Lagos and intervenors to file a response to the administratively complete petition	20 days from the date of the order finding the petition administratively complete
Deadline for petitioner to file a reply to Seis Lagos's response	27 days from the date of the order finding the petition administratively complete
Deadline for Staff's recommendation on final disposition	41 days from the date of the order finding the petition administratively complete
Sixty-day administrative approval of streamlined expedited release	60 days from the date of the order finding the petition administratively complete
<i>In the event streamlined expedited release is granted and petitioner and Seis Lagos can select an agreed-upon appraiser</i>	
Deadline for petitioner and Seis Lagos 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 petitioner to Seis Lagos	Within 60 days after appraiser's report
Deadline for petitioner to pay any compensation due to Seis Lagos	Within 90 days of the Commission's final order on compensation

<i>In the event streamlined expedited release is granted and petitioner and Seis Lagos unable to select an agreed-upon appraiser</i>	
Deadline for petitioner and Seis Lagos to make a filing stating that they have been unable to select an agreed-upon appraiser and affirming that they will pay half of the cost of Commission Staff's appraiser ¹	Within 10 days after the Commission approves streamlined expedited release ²
Deadline for reports from petitioner's appraiser and Seis Lagos's appraiser	Within 70 days after the Commission approves streamlined expedited release
Deadline for 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 petitioner to Seis Lagos	Within 60 days after the Commission receives the final appraisal
Deadline for petitioner to pay any compensation due to Seis Lagos	Within 90 days of the Commission's final order on compensation

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively complete, that the notice be found sufficient, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

¹ TWC § 13.2541(i).

² It is critical for Staff to know as soon as possible after the Commission grants the petition whether Staff needs to secure the services of a third appraiser. If the petitioner and CCN holder are unable to agree and fail to make this filing, Staff may need additional time to file its appraiser's report.

Dated: April 14, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 14, 2022, in accordance with the Order Suspending Rules issued in Project No. 50664.

/s/ Scott Miles
Scott Miles

Public Utility Commission of Texas

Memorandum

TO: Scott Miles and Bradley Reynolds, Attorneys
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: April 14, 2022

RE: Docket No. 53085 – *Petition of Inspiration West, LLC to Amend Seis Lagos Utility District's Sewer Certificate of Convenience and Necessity in Collin County by Streamlined Expedited Release*

On January 12, 2022, Inspiration West, LLC (Inspiration West) filed a petition for streamlined expedited release from Seis Lagos Utility District's (Seis Lagos) sewer Certificate of Convenience and Necessity (CCN) No. 20502 in Collin County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Inspiration West asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Collin County, which is a qualifying county.

Inspiration West submitted a sworn affidavit attesting that the tract of land was not receiving sewer service from Seis Lagos and a warranty deed confirming ownership of the landowner's total property. Inspiration West included a statement indicating a copy of the petition was sent via certified mail to Seis Lagos on the date the petition was filed with the Commission.

Based on the mapping review by Tracy Montes and Hank Journey, Infrastructure Division, the maps submitted with Item 6 on March 8, 2022 are sufficient for determining the location of the tract of land considered for streamlined expedited release is located within Seis Lagos's sewer CCN. Tracy Montes and Hank Journey determined the following:

The landowner's total property is approximately 73.2 acres. The tract of land in the petition for streamlined expedited release is approximately 73.2 acres, of which approximately 72.7 acres overlap Seis Lagos Utility District (CCN No. 20502) and would be decertified from CCN No. 20502.

Based on my technical and managerial review, and the mapping review by Tracy Montes and Hank Journey, the information provided by Inspiration West on January 12, 2022 and March 8, 2022 is sufficient. Therefore, I recommend the petition be deemed administratively complete and accepted for filing.