



## Filing Receipt

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**DOCKET NO. 53253**

<b>PETITION OF KB HOME LONE STAR, INC. TO AMEND AQUA WATER SUPPLY CORPORATION'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN TRAVIS COUNTY BY STREAMLINED EXPEDITED RELEASE</b>	<b>§ § § § § § §</b>	<b>PUBLIC UTILITY COMMISSION      OF TEXAS</b>
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**ORDER NO. 6  
FINDING PETITION, AS SUPPLEMENTED, ADMINISTRATIVELY COMPLETE,  
NOTICE SUFFICIENT, AND ESTABLISHING PROCEDURAL SCHEDULE**

This Order addresses the February 22, 2022 petition of KB Home Lone Star, Inc. to amend Aqua Water Supply Corporation's certificate of convenience and necessity (CCN) number 10294 in Travis County by streamlined expedited release. On April 25, May 25, May 26, and July 15, 2022, KB Home filed supplements to the petition.

**I. Finding Petition, as Supplemented, Administratively Complete**

On August 18, 2022, Commission Staff filed a second supplemental recommendation that the petition, as supplemented, be found administratively complete. The finding of administrative completeness does not address the merits of the petition. The administrative law judge (ALJ) finds the petition, as supplemented, administratively complete.

**II. Finding Notice Sufficient**

The petition includes a signed certificate of service in which KB Home Lone Star certified that it mailed a true and correct copy of its petition to the CCN holder, Aqua WSC, by certified mail on the date the petition was filed with the Commission. The ALJ finds the notice sufficient.

**III. 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	September 12, 2022
Deadline for petitioner to file a response to CCN holder's response to the administratively complete petition	September 19, 2022
Deadline for Commission Staff's recommendation on final disposition	October 3, 2022
Sixty-day administrative approval of streamlined expedited release	October 24, 2022 <sup>1</sup>
<b><i>In the event streamlined expedited release is granted and the petitioner and the CCN holder can select an agreed-upon appraiser</i></b>	
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
<b><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></b>	
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
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

<sup>1</sup> The 60-day deadline ends on Saturday, October 22, 2022; therefore, under 16 Texas Administrative Code § 22.4(a), the deadline moves to the next day in which the Commission is open for business.

**Signed at Austin, Texas the 23rd day of August 2022.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in cursive script, reading "Susan E. Goodson", positioned above a horizontal line.

**SUSAN E. GOODSON**

**ADMINISTRATIVE LAW JUDGE**

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