



Filing Receipt

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DOCKET NO. 53329

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|---------------------------------------|----------|----------------------------------|
| PETITION OF DENTON OLIVER | § | PUBLIC UTILITY COMMISSION |
| CREEK, LP TO AMEND THE CITY OF | § | |
| JUSTIN’S SEWER CERTIFICATE OF | § | OF TEXAS |
| CONVENIENCE AND NECESSITY IN | § | |
| DENTON COUNTY BY STREAMLINED | § | |
| EXPEDITED RELEASE | § | |

COMMISSION STAFF’S RECOMMENDATION ON FINAL DISPOSITION

On March 10, 2022, Denton Oliver Creek, LP (Denton Oliver Creek) filed a petition for streamlined expedited release from the City of Justin's (City of Justin) sewer Certificate of Convenience and Necessity (CCN) No. 20061 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Denton Oliver Creek asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Denton County, which is a qualifying county.

On July 19, 2022, the administrative law judge (ALJ) filed Order No. 4, establishing a deadline of July 25, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on final disposition. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON FINAL DISPOSITION

Staff has reviewed the petition and, as detailed in the attached memorandum of Jolie Mathis, Infrastructure Division, recommends that the petition be approved. Specifically, Staff recommends that the petition submitted by Denton Oliver Creek satisfies the requirements of TWC § 13.2541(b) and 16 TAC § 24.245(h). Further, the final sewer CCN map and certificate are attached to this filing. Staff recommends that the final map and certificate be provided to the City of Justin and for the City of Justin to file a certified copy of the CCN map and a boundary description of the CCN service area in the Denton County Clerk's office, as required under TWC § 13.257(r)-(s).

II. CONCLUSION

For the reasons detailed above, Staff respectfully recommends the petition be approved and respectfully requests the entry of an order consistent with the foregoing recommendations.

Dated: July 25, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

Sneha Patel
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/s/ Scott Miles
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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 July 25, 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 Kevin Bartz, Attorneys
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: July 25, 2022

RE: Docket No. 53329 – *Petition of Denton Oliver Creek, LP to Amend the City of Justin's Sewer Certificate of Convenience and Necessity in Denton County by Streamlined Expedited Release*

On March 10, 2022, Denton Oliver Creek, LP (Denton Oliver Creek) filed a petition for streamlined expedited release from the City of Justin's (City of Justin) sewer Certificate of Convenience and Necessity (CCN) No. 20061 in Denton County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Denton Oliver Creek asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Denton County, which is a qualifying county.

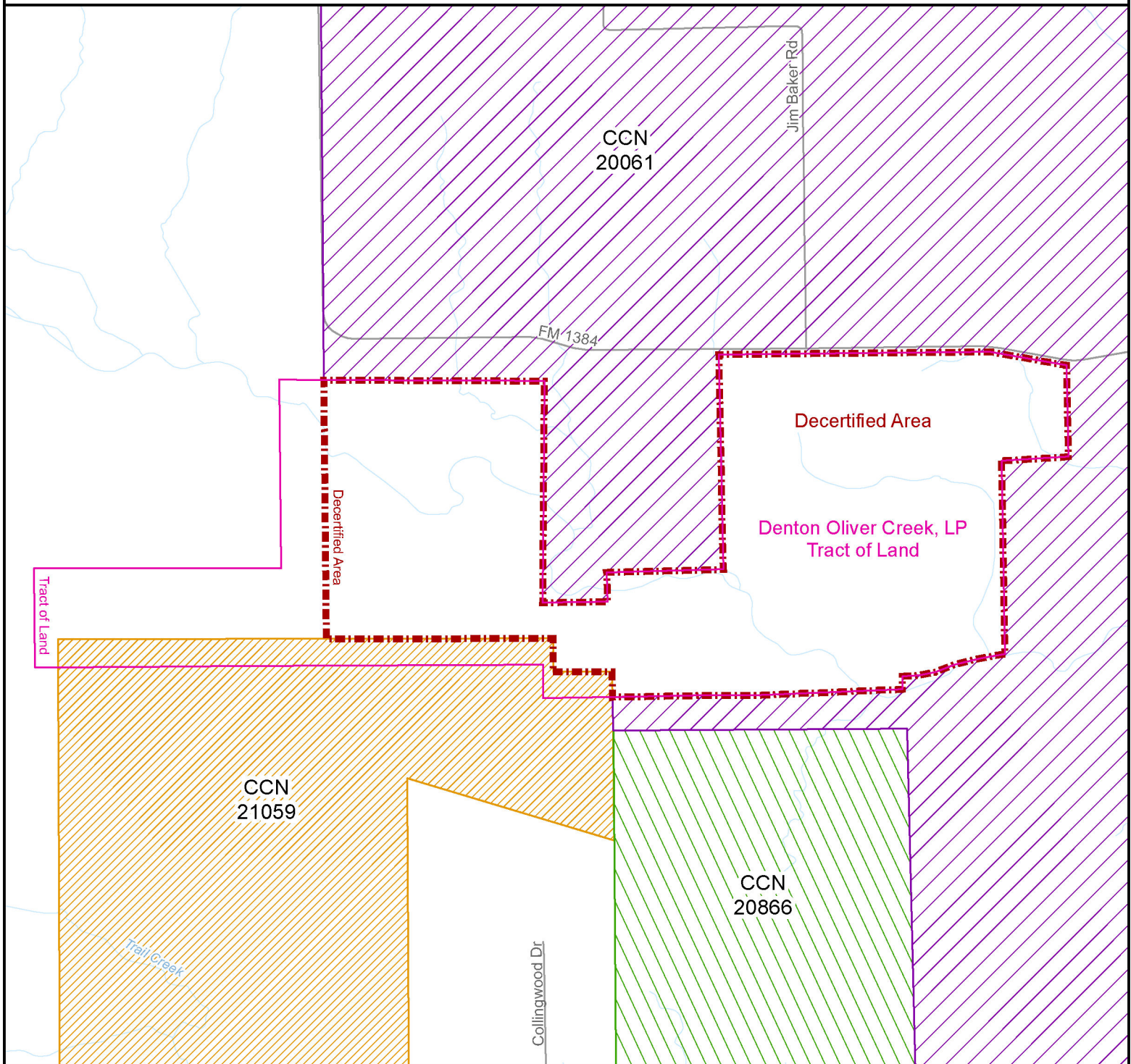
Denton Oliver Creek provided a warranty deed confirming ownership of the tract of land within City of Justin's certificated service area. In addition, Denton Oliver Creek submitted a sworn affidavit attesting that the tract of land was not receiving sewer service from the CCN holder. City of Justin did not request to intervene.

Based on the mapping review by Hank Journeay, Infrastructure Division, it was determined the landowner's total property is approximately 571 acres. The tract of land in the petition for streamlined expedited release is approximately 571 acres, of which approximately 453.6 acres overlap City of Justin (CCN No. 20061) and would be decertified from CCN No. 20061.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Denton Oliver Creek has met the Commission's requirements to allow for the release of the tract of land from City of Justin's CCN No. 20061. Therefore, I recommend approval of the petition. Enclosed is a final map and certificate for Commission approval.




Additionally, I recommend that a final map and certificate be provided to the CCN holder.



City of Justin
Portion of Sewer CCN No. 20061
PUC Docket No. 53329
Petition by Denton Oliver Creek, LP to Amend
City of Justin's CCN by Streamlined Expedited Release in Denton County



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Sewer CCN

-  20061 - City of Justin
-  20866 - Town of Northlake
-  21059 - Aqua Texas Inc

-  Decertified Area
-  Tract of Land

0 750 1,500
Feet



Map by: Komal Patel
Date: July 12, 2022
Project: 53329CityofJustin.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of Justin

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, the City of Justin is entitled to this

Certificate of Convenience and Necessity No. 20061

to provide continuous and adequate sewer utility service to that service area or those service areas in Denton County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 53329 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Justin to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.