



Filing Receipt

Received - 2022-09-20 11:54:13 AM
Control Number - 53569
ItemNumber - 8

DOCKET NO. 53569

PETITION OF BARKLEY MEADOWS,	§	PUBLIC UTILITY COMMISSION
LLC TO AMEND GARFIELD WATER	§	
SUPPLY CORPORATION’S WATER	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN TRAVIS COUNTY	§	
BY STREAMLINED EXPEDITED	§	
RELEASE		

COMMISSION STAFF’S RECOMMENDATION ON FINAL DISPOSITION

On May 6, 2022, Barkley Meadows LLC (Barkley Meadows) filed a petition for streamlined expedited release from Garfield Water Supply Company’s (Garfield WSC) water Certificate of Convenience and Necessity (CCN) No. 11244 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Barkley Meadows asserts that the land to be released is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county. Barkley Meadows filed supplemental information on June 27, 2022.

On August 10, 2022, the administrative law judge (ALJ) filed Order No. 3, requiring the Staff (Staff) of the Public Utility Commission (Commission) to file a recommendation on final disposition on or before September 20, 2022. Therefore, this pleading is timely filed.

I. FINAL RECOMMENDATION

Staff has reviewed Barkley Meadows’ petition and, as detailed in the attached memorandum of Jolie Mathis of the Infrastructure Division, recommends that the petition be approved. Staff recommends that the petition submitted by Barkley Meadows satisfies the requirements of TWC § 13.2541(b) and 16 TAC § 24.245(h). Specifically, the petition shows that the property for which Barkley Meadows seeks streamlined expedited release is (i) at least 25 acres in size; (ii) not receiving water or sewer service from Garfield WSC; and (iii) located within Garfield WSC’s water certificated service area. In addition, Barkley Meadows has provided a warranty deed confirming its ownership of the tract of land. The final water CCN map and water certificate are attached to this filing. Accordingly, Staff recommends that the petition for streamlined expedited release be approved.

II. CONCLUSION

For the reasons detailed above, Staff respectfully recommends approval of Barkley Meadows' petition and entry of an order consistent with the above recommendations.

Dated: September 20, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Keith Rogas
Division Director

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/s/ Bradley Reynolds
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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 September 20, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Bradley Reynolds
Bradley Reynolds

Public Utility Commission of Texas

Memorandum

TO: Bradley Reynolds, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: September 20, 2022

RE: Docket No. 53569 – *Petition of Barkley Meadows, LLC to Amend Garfield Water Supply Corporation's Certificate of Convenience and Necessity in Travis County by Streamlined Expedited Release*

On May 6, 2022, Barkley Meadows, LLC (Barkley Meadows) filed a petition for streamlined expedited release from Garfield Water Supply Corporation's (Garfield WSC) water Certificate of Convenience and Necessity (CCN) No. 11244 in Travis County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Barkley Meadows asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county.

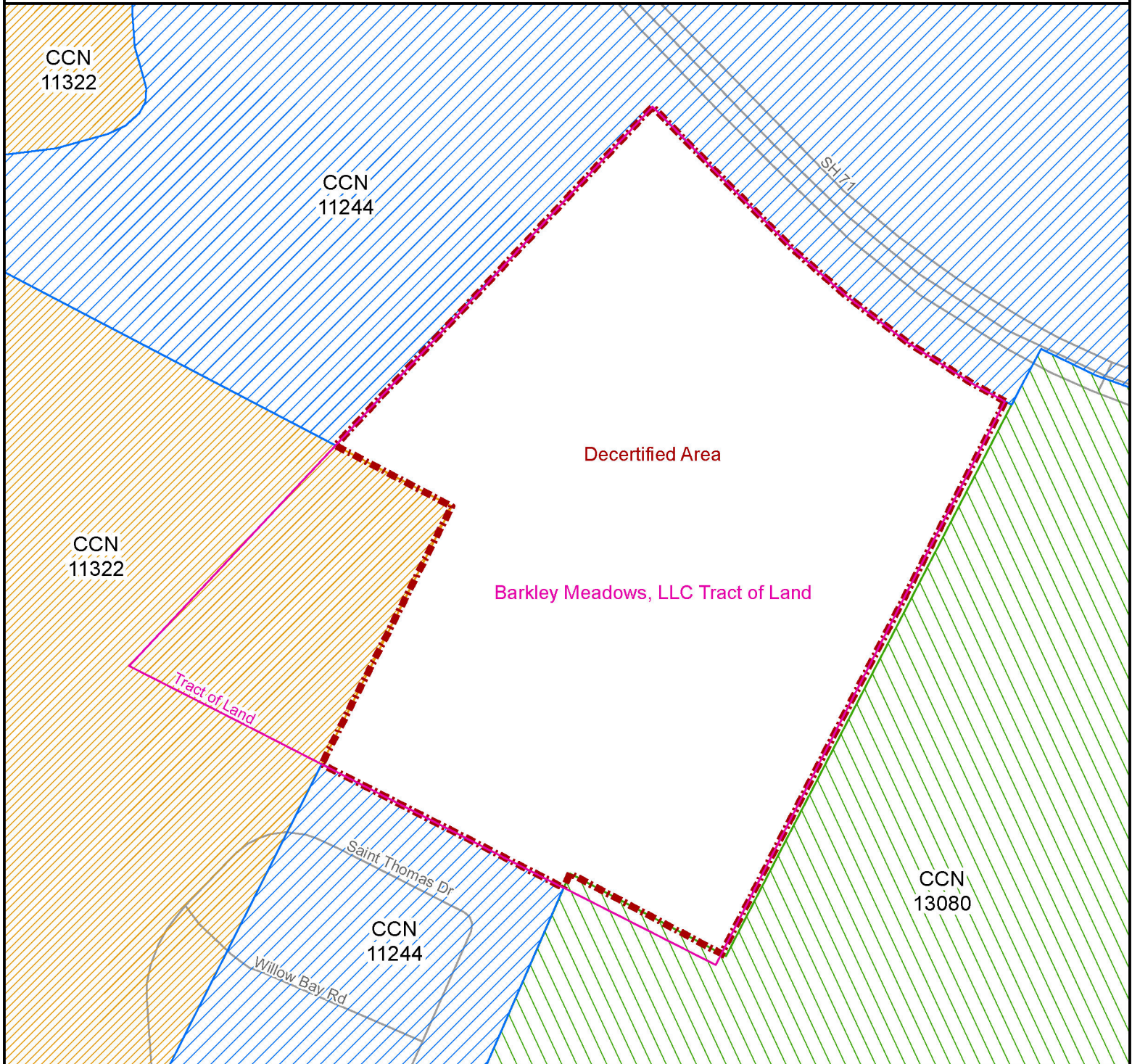
Barkley Meadows provided a warranty deed confirming ownership of the tract of land within Garfield WSC's certificated service area. In addition, Barkley Meadows submitted a sworn affidavit attesting that the tract of land was not receiving water service from the CCN holder. Barkley Meadows did not request to intervene.

Based on the mapping review by Mapping Staff, Infrastructure Division, it was determined the landowner's total property is approximately 43.9 acres. The tract of land in the petition for streamlined expedited release is approximately 43.9 acres, of which approximately 37.8 acres overlap Garfield WSC (CCN No. 11244) and would be decertified from CCN No. 11244.




In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), Barkley Meadows has met the Commission's requirements to allow for the release of the tract of land from Garfield WSC's CCN No. 11244. 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.

Garfield Water Supply Corporation
Portion of Water CCN No. 11244
PUC Docket No. 53569
Petition by Barkley Meadows, LLC to Amend
Garfield Water Supply Corporation's CCN by Streamlined Expedited Release in Travis County



Water CCN

-  11244 - Garfield WSC
-  13080 - Plan Z LLC
-  11322 - City of Austin

-  Decertified Area
-  Tract of Land

0 150 300
Feet





Public Utility Commission of Texas

By These Presents Be It Known To All That

Garfield Water Supply Corporation

having obtained certification to provide water or 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, Garfield Water Supply Corporation is entitled to this

Certificate of Convenience and Necessity No. 11244

to provide continuous and adequate water utility service to that service area or those service areas in Travis County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 53569 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 Garfield Water Supply Corporation 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.