



## **Filing Receipt**

**Filing Date - 2023-04-20 12:03:30 PM**

**Control Number - 53594**

**Item Number - 24**

**DOCKET NO. 53594**

<b>PETITION OF MONTGOMERY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>COUNTY LAND INVESTMENTS, INC.</b>	<b>§</b>	
<b>TO AMEND T&amp;W WATER SERVICE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>COMPANY'S CERTIFICATE OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>MONTGOMERY COUNTY BY</b>	<b>§</b>	
<b>STREAMLINED EXPEDITED</b>	<b>§</b>	
<b>RELEASE</b>	<b>§</b>	

**NOTICE OF APPROVAL  
MAKING A DETERMINATION ON COMPENSATION**

In this Notice of Approval, the Commission determines that, for the streamlined expedited release granted in this docket, Montgomery County Land Investments, Inc. owes compensation to T&W Water Service Company under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from T&W Water's certificated service area under certificate of convenience and necessity (CCN) number 12892. The Commission's determination on compensation is based on an agreement between Montgomery County and T&W Water.

**I. Findings of Fact**

The Commission makes the following findings of fact.

**Petitioner**

1. Montgomery County Land Investments is a Texas corporation registered with the Texas secretary of state under filing number 128533000.

**CCN Holder**

2. T&W Water is a Texas corporation registered with the Texas secretary of state under filing number 46041000.
3. T&W Water holds CCN number 12892 that obligates it to provide retail water service in its certificated service area in Montgomery County.

**Petition**

4. On May 11, 2022, the petitioner filed a petition for streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 12892.

5. In an Order filed on March 23, 2023, the Commission granted the petition and released the petitioner's tract of land from the CCN holder's certificated service area.
6. Ordering paragraph seven of the Commission's Order stated that, if streamlined expedited release was granted, this proceeding would continue for the purpose of determining compensation in accordance with the schedule adopted in Order No. 5.

#### **Appraisers and Appraisals**

7. No appraisers are needed to determine compensation in this docket because of the agreement between the petitioner and the CCN holder.

#### **Compensation**

8. On April 19, 2023, the petitioner and the CCN holder filed a joint notice of agreement regarding compensation in which they agreed that compensation is owed to the CCN holder as a result of the streamlined expedited release.
9. In the agreement, the petitioner and the CCN holder have agreed on the amount, filed under confidential seal, that is owed for the streamlined expedited release.

### **II. Conclusions of Law**

The Commission makes the following conclusions of law.

1. The Commission has authority to determine the amount of compensation to be awarded after granting streamlined expedited release under TWC §§ 13.254 and 13.2541.
2. No notice is required to determine the amount of compensation.
3. No opportunity for a hearing to determine compensation for streamlined expedited release is provided under TWC § 13.2541 or 16 Texas Administrative Code (TAC) § 24.245(h)(7).
4. The determination on compensation under TWC § 13.2541 and 16 TAC § 24.245(i) is not a contested case.
5. Under 16 TAC § 24.245(i)(1), if the petitioner and CCN holder agree on the amount of compensation to be paid, they may forego the appraisal process and make a joint filing with the Commission stating the amount of the compensation to be paid.
6. Compensation in the amount filed under confidential seal is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.

7. The Commission processed the petition in accordance with the TWC and Commission rules.

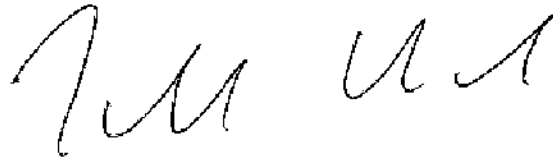
### III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The petitioner must pay to the CCN holder compensation in the amount filed under confidential seal within 90 days from the date of this Notice of Approval.<sup>1</sup>
2. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 20th day of April 2023.

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**JEFFREY J. HUHN**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>1</sup> This implements the payment deadline mandated by 16 TAC § 24.254(i)(6). The parties are free to agree, via contract, to a shorter payment deadline.