



## Filing Receipt

**Received - 2022-06-13 08:24:47 AM**  
**Control Number - 53594**  
**ItemNumber - 3**

**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>RELEASE</b>		

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

On May 11, 2022, Montgomery County Land Investments Inc. (MCLI) filed a petition for streamlined expedited release from T&W Water Service Company's (T&W) water Certificate of Convenience and Necessity (CCN) number 12892 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). MCLI asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Montgomery County, which is a qualifying county.

On May 17, 2022, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of June 13, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file 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, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the petition is administratively incomplete. Staff further recommends that MCLI be ordered to cure the deficiencies identified in Ms. Garcia's memorandum by July 13, 2022, and that Staff be given a deadline of August 15, 2022 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully notes that these deficiencies are related to mapping information and Staff's mapping experts may be required to assist MCLI regarding the supplemental mapping information requested to cure the mapping deficiencies. Therefore, Staff will require at least thirty days to review any supplemental information provided by MCLI.

## **II. PROCEDURAL SCHEDULE**

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation that the petition be found administratively complete.

## **III. CONCLUSION**

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, and that MCLI be ordered to file supplemental information to cure the deficiencies in the petition by July 13, 2022 and that Staff be given a deadline of August 15, 2022 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: June 13, 2022

Respectfully submitted,

### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Keith Rogas  
Division Director

Marisa Lopez Wagley  
Managing Attorney

/s/ Kourtnee Jinks

Kourtnee Jinks  
State Bar No. 24097146  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7265  
(512) 936-7268 (facsimile)  
kourtnee.jinks@puc.texas.gov

**DOCKET NO. 53594**

**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 June 13, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks  
Kourtnee Jinks

# *Public Utility Commission of Texas*

---

## **Memorandum**

**TO:** Kourtnee Jinks, Attorney  
Legal Division

**FROM:** Patricia Garcia, Senior Engineering Specialist  
Infrastructure Division

**DATE:** June 13, 2022

**RE:** Docket No. 53594 – *Petition of Montgomery County Land Investments, Inc. to Amend T&W Water Service Company's Certificate of Convenience and Necessity in Montgomery County by Expedited Release*

---

On May 11, 2022, Montgomery County Land Investments Inc. (MCLI) filed a petition for streamlined expedited release from T&W Water Service Company's (T&W) water Certificate of Convenience and Necessity (CCN) No. 12892 in Montgomery County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). MCLI asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Montgomery County, which is a qualifying county.

Based on the mapping review and my technical and managerial review of the information provided by MCLI, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

### **Mapping Content:**

Based on the mapping review by Dave Babicki, Infrastructure Division, the maps submitted with Item 1 on May 11, 2022 are deficient.

Petitioner must submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the tract of land, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the tract of land, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the tract of land, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

Staff recommends the Petitioner obtain additional mapping guidance from the PUC's mapping staff, Dave Babicki by email at [dave.babicki@puc.texas.gov](mailto:dave.babicki@puc.texas.gov) to resolve the mapping deficiencies.

Staff will need at least 30 days to review the documentation, maps, and digital data provided by MCLI and draft a recommendation.