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PETITION OF AQUA TEXAS, INC. § PUBLIC UTILITY COMMISSION
FOR PARTIAL DECERTIFICATION §
OF CERTIFICATES OF § OF TEXAS
CONVENIENCE AND NECESSITY IN §
MONTGOMERY COUNTY §

ORDER NO. 3
FINDING APPLICATION, AS SUPPLEMENTED, ADMINISTRATIVELY COMPLETE,
WAIVING NOTICE AS TO LANDOWNER, AND REQUIRING COMMENTS BY
COMMISSION STAFF

This Order addresses the administrative completeness of the June 7, 2022 petition filed by Aqua Texas, Inc. to decertify a portion of its certificates of convenience and necessity numbers 13201 and 21065 in Montgomery County. On June 8 and 20, 2022, Aqua Texas filed supplements to the application. On July 8, 2022, Commission Staff filed a recommendation on administrative completeness, waiver of notice, and proposed a procedural schedule.

The administrative law judge (ALJ) finds the application, as supplemented, administratively complete.

In its petition, Aqua Texas requested waiver for any requirement for landowner notice.¹ Aqua Texas stated that Chapel Run Land Investment Company, LLC is the owner of the tract of land for which decertification is requested and that Chapel Run and Aqua Texas entered into an agreement for “Aqua Texas [] to seek removal of its water and sewer CCN service areas within the Property to permit retail water and sewer service by the City of Conroe within the tract of land owned by Chapel Run.”² Under Texas Water Code § 13.301(a)(2), public notice may be waived by the Commission for good cause shown. In its recommendation, Commission Staff recommended that good cause has been shown to grant the request for waiver of notice.

The ALJ finds good cause to waive the notice requirements of Texas Water Code § 13.301(a)(2) as to the landowner because Aqua Texas and Chapel Run have executed an agreement regarding the land Aqua Texas seeks to decertify. The ALJ requires Commission Staff

¹ Application at 3.

² *Id.* at 1-2.

to comment on whether notice to Conroe should be required or whether Aqua Texas should be required to provide further information indicating that Conroe has agreed to be the service provider for the tract of land by July 22, 2022.

Signed at Austin, Texas the 12th day of July 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Christina Denmark". The signature is written in a cursive style with a long horizontal flourish extending to the right.

**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**