



Filing Receipt

Received - 2023-04-03 09:35:13 AM
Control Number - 53729
ItemNumber - 14

DOCKET NO. 53729

PETITION OF HEMPSTEAD R.V. NO. 1,	§	PUBLIC UTILITY COMMISSION
LLC TO AMEND G&W WATER	§	
SUPPLY CORPORATION'S	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN WALLER	§	
COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE	§	

**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, Hempstead RV No. 1, LLC owes compensation to G&W Water Supply Corporation under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from G&W WSC's certificated service area under certificate of convenience and necessity (CCN) number 12391. The Commission's determination on compensation is based on an agreement between Hempstead and G&W WSC.

I. Findings of Fact

The Commission makes the following findings of fact.

Petitioner

1. Hempstead is Texas limited liability company registered with the Texas secretary of state under filing number 803606353.

CCN Holder

2. G&W WSC is a Texas non-profit corporation registered with the Texas secretary of state under filing number 106049001.
3. G&W WSC holds CCN number 12391 that obligates it to provide retail water service in its certificated service area in Waller County.

Petition

4. On June 17, 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 12391.

5. In Order No. 4 filed on November 17, 2022, the Commission granted the petition and released the petitioner's tract of land from the CCN holder's certificated service area.
6. Ordering paragraph eight of the Order stated that, if streamlined expedited release was granted, this docket would continue for the purpose of determining compensation in accordance with the schedule adopted in Order No. 3.

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 March 30, 2023, the petitioner and the CCN holder filed a joint notice of agreement regarding compensation, in which they agreed that compensation in the amount of \$50,000 is owed to the CCN holder as a result of 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 of \$50,000 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.

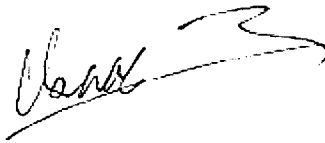
III. Ordering Paragraphs

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 of \$50,000 within 90 days from the date of this Notice of Approval.¹
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 3rd day of April 2023.

PUBLIC UTILITY COMMISSION OF TEXAS



**ISAAC TA
ADMINISTRATIVE LAW JUDGE**

q:\cadm\doCKET management\water\ccn_expedited\53xxx\53729-compensation noa_agreed amount.docx

¹ 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.