



## Filing Receipt

**Received - 2023-04-03 01:17:54 PM**  
**Control Number - 54049**  
**ItemNumber - 13**

**DOCKET NO. 54049**

<b>PETITION OF KAUFMAN</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>INDEPENDENT SCHOOL DISTRICT</b>	<b>§</b>	
<b>TO AMEND COLLEGE MOUND</b>	<b>§</b>	<b>OF TEXAS</b>
<b>WATER SUPPLY CORPORATION'S</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN KAUFMAN</b>	<b>§</b>	
<b>COUNTY BY STREAMLINED</b>	<b>§</b>	
<b>EXPEDITED 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, Kaufman Independent School District owes no compensation to College Mound Water Supply Corporation under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from College Mound's certificated service area under certificate of convenience and necessity (CCN) number 10825. The Commission's determination on compensation is based on the fact that College Mound failed to timely file an appraisal report.

**I. Findings of Fact**

The Commission makes the following findings of fact.

**Petitioner**

1. Kaufman ISD is a school district in Kaufman County.

**CCN Holder**

2. College Mound WSC<sup>1</sup> is a special utility district operating under chapter 65 of the Texas Water Code (TWC).
3. College Mound WSC holds CCN number 10825 that obligates it to provide retail water service in its certificated service area in Kaufman County.

---

<sup>1</sup> On November 19, 2013, College Mound WSC changed its name to College Mound Special Utility District with the Texas Commission on Environmental Quality. However, the certificate reflects the name College Mound WSC. Therefore, the name College Mound WSC will be used in this Order.

**Petition**

4. On September 8, 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 10825.
5. In Order No. 4 filed on December 5, 2022, the Commission granted the petition and released the tract of land from the CCN holder's certificated service area.
6. Ordering paragraph seven of Order No. 4 stated that the proceeding to determine compensation would follow the procedural schedule that was adopted in Order No. 2.

**Appraiser and Appraisals**

7. The petitioner and CCN holder did not agree on the compensation to be paid to the CCN holder for the streamlined expedited release.
8. The petitioner and CCN holder did not agree on an independent appraiser.
9. On February 13, 2023, the petitioner filed its appraiser's report, completed by Teague Nall and Perkins, Inc. and dated February 13, 2023, which recommended compensation in the amount of \$3,500.00.
10. The CCN holder did not file an appraisal report within 70 days after the Commission granted release.

**Compensation**

11. Because the CCN holder did not file an appraisal report within 70 days after the Commission granted release, no compensation is owed for the 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)(2)(B), if the petitioner and CCN holder cannot agree on the amount of compensation and cannot agree on an independent appraiser, they must each file their own appraisal report within 70 days after the Commission grants streamlined expedited release.
6. Under 16 TAC § 24.245(i)(4), if the CCN holder fails to file an appraisal report within 70 days after the Commission granted streamlined expedited release, the amount of compensation due is deemed to be zero.
7. No compensation is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.
8. 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. No compensation is owed by the petitioner to the CCN holder for the streamlined expedited release.
2. The Commission denies all other motions and any other requests for general or specific relief not expressly granted by this Notice of Approval.

**Signed at Austin, Texas the 3rd day of April 2023.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



---

**CHRISTINA DENMARK**  
**ADMINISTRATIVE LAW JUDGE**