



## **Filing Receipt**

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**Item Number - 17**

**DOCKET NO. 54488**

<b>APPLICATION OF FOREST GLEN</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>UTILITY COMPANY TO AMEND ITS</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>AND NECESSITY IN MEDINA</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

**ORDER NO. 4**  
**GRANTING EXTENSION AND REVISING DEADLINE AND REQUIRING**  
**CLARIFICATION ON NOTICE**

This Order addresses Forest Glen Utility Company and Commission Staff's May 17, 2023 request for extension. Commission Staff stated they are working with Forest Glen to resolve several mapping issues and want to resolve these issues prior to filing a recommendation on sufficiency of notice.

On April 20, 2023, Forest Glen filed an affidavit attesting that notice was provided to various entities and individuals, as identified in a list attached to the affidavit. The attached list identified individuals and entities and their mailing address. The proof of notice provided in this proceeding does not identify tracts of land that are at least 25 acres and are wholly or partially in the requested area nor does the record show who owns those tracts.

In light of Commissioner Jackson's memorandum in Docket No. 51651,<sup>1</sup> the administrative law judge requires Forest Glen to confirm by affidavit that notice has been mailed by first class mail to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified according to the most current tax appraisal rolls of the applicable central appraisal district at the time the Commission received the application for the amendment. Proof of notice that includes the names and mailing address, but does not identify which tracts of land in the requested area are at least 25 acres and who owns those tracts of land is not sufficient evidence of notice, as required under Texas Water Code (TWC) § 13.246(a-1) and 16 Texas Administrative Code

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<sup>1</sup> *Application of Waters of Vista Ranch Water Supply Corporation and Aqua Water Supply Corporation for Sale, Transfer, or Merger of Facilities and Certificate Rights in Fayette County*, Docket No. 51646, Commissioner Jackson Memorandum (May 10, 2023).

(TAC) § 24.235(b)(2).<sup>2</sup> The evidentiary record must show which tracts of land in the requested area are at least 25 acres and who owns those tracts.<sup>3</sup>

By May 31, 2023, Forest Glen must file (1) an affidavit that notice has been mailed by first class mail to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified according to the most current tax appraisal rolls of the applicable central appraisal district at the time the Commission received the application and (2) evidence showing which tracts of land in the requested area are at least 25 acres and who owns those tracts.

The administrative law judge grants the extension. On or before June 14, 2023, Commission Staff must file a recommendation on sufficiency of notice, along with a procedural schedule for continued processing.

**Signed at Austin, Texas the 18th day of May 2023.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK  
ADMINISTRATIVE LAW JUDGE**

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<sup>2</sup> *Id.* at 2.

<sup>3</sup> *Id.*