



Filing Receipt

Filing Date - 2023-11-13 11:19:16 AM

Control Number - 55020

Item Number - 18

DOCKET NO. 55020

PETITION OF NMCV TAYLOR	§	PUBLIC UTILITY COMMISSION
PROPERTY INVESTORS, LLC TO	§	
AMEND MANVILLE WATER SUPPLY	§	OF TEXAS
CORPORATION'S CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
WILLIAMSON 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, NMCV Taylor Property Investors, LLC owes no compensation to Manville Water Supply Corporation under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from Manville WSC's certificated service area under certificate of convenience and necessity (CCN) number 11144. The Commission's determination on compensation is based on the fact that neither NMCV Taylor nor Manville WSC filed an appraisal report.

I. Findings of Fact

The Commission makes the following findings of fact.

Petitioner

1. NMCV Taylor is a Texas limited liability company registered with the Texas secretary of state under filing number 803961657.

CCN Holder

2. Manville WSC is a Texas nonprofit corporation registered with the Texas secretary of state under filing number 26785701.
3. Manville WSC holds CCN number 11144 that obligates it to provide retail water service in its certificated service area in Lee, Travis, and Williamson counties.

Petition

4. On May 18, 2023, the petitioner filed a petition for streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 11144.
5. In Order No. 6 filed on August 25, 2023, 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. 6 stated that the proceeding to determine compensation would follow the procedural schedule that was adopted in Order No. 5.

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. Neither petitioner nor CCN holder filed an appraisal report within 70 days after the Commission granted release.

Compensation

10. Because neither the petitioner nor the CCN holder filed 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. Under 16 TAC § 24.245(i)(4), if the petitioner fails to file an appraisal report within 70 days after the Commission granted streamlined expedited release, the amount of compensation is based on the appraisal provided by the CCN holder.
8. No compensation is owed by the petitioner to the CCN holder for the release under TWC § 13.2541.
9. 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 13th day of November 2023.

PUBLIC UTILITY COMMISSION OF TEXAS



**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**