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DOCKET NO. 55021

PETITION OF MC TRILOGY TEXAS,	§	PUBLIC UTILITY COMMISSION
LLC TO AMEND RCH WATER	§	
SUPPLY CORPORATION'S	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN ROCKWALL	§	
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, MC Trilogy Texas, LLC owes no compensation to RCH Water Supply Corporation under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed a tract of land from RCH WSC's certificated service area under certificate of convenience and necessity (CCN) number 10087. The Commission's determination on compensation is based on the fact that RCH WSC failed to timely file an appraisal report.

I. Findings of Fact

The Commission makes the following findings of fact.

Petitioner

1. MC Trilogy is a Texas limited liability company registered with the Texas secretary of state under filing number 804220500.

CCN Holder

2. RCH WSC is a Texas nonprofit corporation registered with the Texas secretary of state under file number 17642701.
3. RCH WSC holds CCN number 10087 that obligates it to provide retail water service in its certificated service area in Rockwall County.

Petition

4. The petitioner filed a petition on May 18, 2023, and amended the petition on July 20, 2023.

5. In the amended petition, the petitioner sought streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 10087.
6. In Order No. 5 filed on October 18, 2023, the Commission granted the petition and released the requested tract of land from the CCN holder's certificated service area.
7. Ordering Paragraph 7 of Order No. 5 stated that the proceeding to determine compensation would follow the procedural schedule that was adopted in Order No. 3, filed on August 22, 2023.

Appraisers and Appraisals

8. The petitioner and the CCN holder did not agree on the compensation to be paid to the CCN holder for the streamlined expedited release.
9. The petitioner and the CCN holder did not agree on an independent appraiser.
10. In Order No. 6 filed on December 22, 2023, the administrative law judge denied the parties' joint motion for extension of time to file the appraisal reports.
11. The CCN holder did not file an appraisal report within 70 days after the Commission granted release.

Compensation

12. 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.

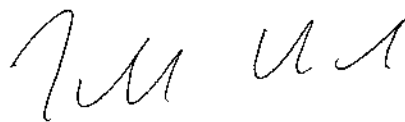
III. Ordering Paragraphs

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 that have not been expressly granted.

Signed at Austin, Texas the 28th day of December 2023.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN

ADMINISTRATIVE LAW JUDGE