



## **Filing Receipt**

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**Control Number - 55021**

**Item Number - 9**

**DOCKET NO. 55021**

<b>PETITION OF MC TRILOGY TEXAS,</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>LLC TO AMEND RCH WATER SUPPLY</b>	<b>§</b>	
<b>CORPORATION'S CERTIFICATE OF</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>ROCKWALL COUNTY BY</b>	<b>§</b>	
<b>STREAMLINED EXPEDITED RELEASE</b>	<b>§</b>	

**COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION**

On May 18, 2023, MC Trilogy Texas, LLC (MC Trilogy) filed a petition for streamlined expedited release from RCH Water Supply Corporation's (RCH WSC) Certificate of Convenience and Necessity (CCN) No. 10087 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). MC Trilogy asserts that the land to be released is at least 25 contiguous acres, is not receiving water service, and is located in Rockwall County, which is a qualifying county.<sup>1</sup> MC Trilogy filed supplemental information on July 20, 2023.

On August 22, 2023, the administrative law judge issued Order No. 3, requiring the Staff (Staff) of the Public Utility Commission of Texas to file a recommendation on final disposition by October 2, 2023. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON FINAL DISPOSITION**

Staff has reviewed the petition and, as detailed in the attached memorandum of Jolie Mathis of the Infrastructure Division, recommends that the petition be approved. Specifically, Staff recommends that the petition submitted by MC Trilogy satisfies the requirements of TWC § 13.2541(b) and 16 TAC § 24.245(h). The final water CCN map and certificate are attached. Staff recommends that RCH WSC file a certified copy of the CCN map and a boundary description of the CCN service area in the Rockwall County Clerk's office, as required under TWC § 13.257(r)-(s).

**II. CONCLUSION**

For the reasons detailed above, Staff respectfully recommends the petition be approved and respectfully requests the entry of an order consistent with the foregoing recommendations.

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<sup>1</sup> Application at 1 and 3 (May 18, 2023).

Dated: October 2, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Marisa Lopez Wagley  
Division Director

Margaux Fox  
Managing Attorney

/s/ Markel Perkins  
Markel Perkins  
State Bar No. 24126428  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7099  
(512) 936-7268 (fax)  
Markel.Perkins@puc.texas.gov

**DOCKET NO. 55021**

**CERTIFICATE OF SERVICE**

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on October 2, 2023 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Markel Perkins  
Markel Perkins

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Markel Perkins, Attorney  
Legal Division

**FROM:** Jolie Mathis, Utility Engineering Specialist  
Infrastructure Division

**DATE:** October 2, 2023

**RE:** Docket No. 55021 – *Petition of MC Trilogy Texas, LLC to Amend RCH Water Supply Corporation's Certificate of Convenience and Necessity in Rockwall County by Streamlined Expedited Release*

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On May 18, 2023, MC Trilogy Texas, LLC (MC Trilogy) filed a petition for streamlined expedited release from R C H Water Supply Corporation's (R C H WSC) water Certificate of Convenience and Necessity (CCN) No. 10087 in Rockwall County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). MC Trilogy asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Rockwall County, which is a qualifying county.

MC Trilogy provided a warranty deed confirming ownership of the tract of land within R C H WSC's certificated service area. In addition, MC Trilogy submitted a sworn affidavit attesting that the tract of land was not receiving water service from the CCN holder. R C H WSC did not request to intervene.

Based on the mapping review by Dave Babicki, Infrastructure Division, it was determined the landowner's total property includes Tract 1 with approximately 650.1 acres, and Tract 2 with approximately 243.2 acres, resulting in approximately 893.3 total acres.

The tract of land in the petition for streamlined expedited release includes Tract 1 with approximately 509.8 acres, and Tract 2 with approximately 212.3 acres, resulting in approximately 722.1 total acres. Tract 1 is located west of the intersection of Farm to Market 550 and Pullen Road. Tract 2 is located east of the intersection of Farm to Market 550 and Pullen Road. Tract 1 and Tract 2 are non-contiguous tracts of land, and both meet the 25-acre requirement.

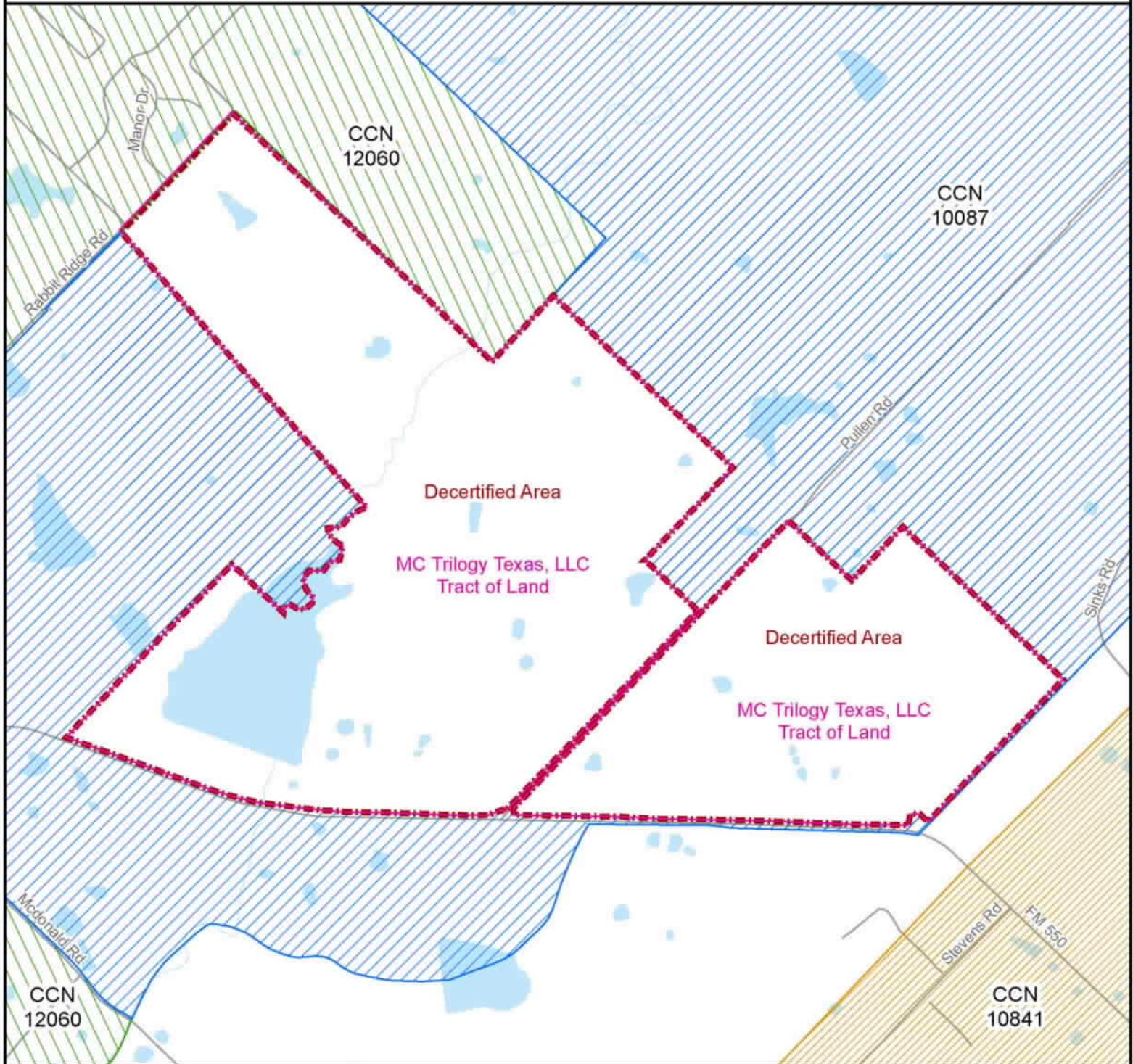
The landowner's total property is approximately 893.3 acres. The tract of land in the petition for streamlined expedited release is approximately 722.1 acres, of which approximately 721.1 acres overlap R C H WSC (CCN No. 10087) and would be decertified from CCN No. 10087.

In accordance with TWC § 13.2541 and 16 TAC § 24.245(h), MC Trilogy has met the Commission's requirements to allow for the release of the tract of land from R C H WSC 's CCN No. 10087. Therefore, I recommend approval of the petition. Enclosed is a final map and certificate for Commission approval.

Additionally, I recommend that a final map and certificate be provided to the CCN holder.





PUCT Docket No. 55021  
R C H Water Supply Corporation  
Portion of Water CCN No. 10087  
Petition by MC Trilogy Texas, LLC to Amend  
R C H Water Supply Corporation's CCN by Streamlined Expedited Release in Rockwall County



Public Utility Commission of Texas  
1701 N. Congress Ave  
Austin, TX 78701

**Water CCN**

-  10087 - R C H WSC
-  12060 - City of Heath
-  10841 - High Point WSC

-  Decertified Area
-  Tract of Land

0 675 1,350  
Feet



Map by: Komal Patel  
Date: September 14, 2023  
Project: 55021RCHWSC.mxd



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

## **R C H Water Supply Corporation**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, R C H Water Supply Corporation is entitled to this

### **Certificate of Convenience and Necessity No. 10087**

to provide continuous and adequate water utility service to that service area or those service areas in Rockwall County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 55021 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the R C H Water Supply Corporation to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.