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DOCKET NO. 55142

PETITION OF CENTURY LAND HOLDINGS II, LLC AND GRBK EDGEWOOD, LLC TO DECERTIFY A PORTION OF AQUA WATER SUPPLY CORPORATION'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN BASTROP COUNTY	§ § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF'S FIRST CLARIFICATION

On June 14, 2023, Century Land Holdings II, LLC and GRBK Edgewood, LLC (jointly, Petitioners) filed a petition to decertify a portion of Aqua Water Supply Corporation's certificate of convenience and necessity number 10294 in Bastrop County.

On September 14, 2023, the administrative law judge (ALJ) filed Order No. 3, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to clarify whether its recommendation is that the applicants' petition does not satisfy the requirements of 16 Texas Administrative Code (TAC) § 24.245(d)(2)(C), by September 28, 2023. Therefore, this pleading is timely filed.

I. CLARIFICATION

On September 13, 2023, Staff filed a supplemental recommendation on administrative completeness. On September 14, 2023, the ALJ asked Staff to clarify its supplemental recommendation. As supported by the attached memorandum of Chase Lipscomb, Infrastructure Division, Staff recommends that the application does not satisfy the requirements of 16 TAC § 24.245(d)(2)(C). Therefore, Staff recommends that the application be deemed administratively incomplete.

Consistent with Staff's supplemental recommendation, filed on September 13, 2023, Staff recommends that the Petitioners be ordered to cure the deficiencies identified in Mr. Lipscomb's attached memorandum by October 13, 2023, and that Staff be given a deadline of November 13, 2023, to file a supplemental recommendation on the administrative completeness of the petition, notice, and propose a procedural schedule.

II. CONCLUSION

For the reasons detailed above, Staff respectfully requests the entry of an order consistent with the above recommendation.

Date: September 28, 2023

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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/s/ David Berlin
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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 September 28, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ David Berlin
David Berlin

Public Utility Commission of Texas

Memorandum

TO: David Berlin, Attorney
Legal Division

FROM: Chase Lipscomb, Infrastructure Analyst
Infrastructure Division

DATE: September 28, 2023

RE: Docket No. 55142 – *Petition of Century Land Holdings II, LLC and GRBK Edgewood, LLC to Decertify a Portion of Aqua Water Supply Corporation's Certificate of Convenience and Necessity in Bastrop County*

On June 16, 2023, Century Land Holdings II, LLC and GRBK Edgewood, LLC (Century Land & Edgewood) filed a petition to decertify a portion of Aqua Water Supply Corporation's (Aqua WSC) water Certificate of Convenience and Necessity (CCN) No. 10294 in Bastrop County, Texas under Texas Water Code (TWC) § 13.254(a) and 16 Texas Administrative Code (TAC) § 24.245(d).

Based on my technical review of the additional information filed on August 15, 2023, I recommend that the application be deemed administratively incomplete.

Petition Content:

- The applicant did not state what effect this petition will have on the 6 residences inside the requested area as required under 16 Texas Administrative Code § 24.245(d)(2)(C). I recommend that Century Land & Edgewood and Aqua WSC be ordered to state what effect this petition will have on the 6 residences inside the requested area that are receiving water service from Aqua WSC.