



## **Filing Receipt**

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**Item Number - 3**

**DOCKET NO. 55238**

<b>PETITION OF JEFFERSON TRIANGLE</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>MARINE, LP TO AMEND MANVILLE</b>	<b>§</b>	
<b>WATER SUPPLY CORPORATION'S</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN TRAVIS COUNTY</b>	<b>§</b>	
<b>BY STREAMLINED EXPEDITED</b>	<b>§</b>	
<b>RELEASE</b>	<b>§</b>	

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS AND NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

On January 24, 2023, Jefferson Triangle Marine, LP (Jefferson Triangle) filed a petition for streamlined expedited release from Manville Water Supply Corporation's (Manville WSC) water Certificate of Convenience and Necessity (CCN) number 11144 under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Jefferson Triangle asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county.

On July 17, 2023, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on administrative completeness of the petition, sufficiency of notice and propose a procedural schedule by August 14, 2023. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the petition and supplemental information and, as detailed in the attached memorandum from James Harville, of the Infrastructure Division, recommends that the petition is administratively complete. Staff's recommendation on administrative completeness is not a comment on the merits of the petition.

**II. NOTICE SUFFICIENCY**

Under 16 TAC § 24.245(h)(3)(f), a landowner seeking streamlined expedited release must provide proof that a copy of the petition has been mailed to the current CCN holder via certified mail on the day that the landowner submits the petition to the Commission. Jefferson Triangle stated that it mailed a copy of its petition to the CCN holder, Manville WSC by certified mail on

the day the petition was filed with the Commission. Accordingly, Staff recommends that the notice is sufficient.

### III. PROCEDURAL SCHEDULE

Under 16 TAC § 24.245(h)(7), there is an expedited deadline of 60 days for approval of the requested release that begins once the ALJ issues an order finding a petition administratively complete. Staff recommends that the petition be found administratively complete. Therefore, Staff proposes the following procedural schedule and requests that the ALJ populate the deadlines accordingly when the ALJ issues that order.

Event	Date
Deadline for the CCN holder to file a response, verified by a notarized affidavit, to the administratively complete petition	20 days from the date of the order finding the petition administratively complete
Deadline for petitioner to file a response to CCN holder's response to the administratively complete petition	27 days from the date of the order finding the petition administratively complete
Deadline for Staff's recommendation on final disposition	41 days from the date of the order finding the petition administratively complete
Sixty-day administrative approval of streamlined expedited release	60 days from the date of the order finding the petition administratively complete
<b><i>In the event streamlined expedited release is granted and petitioner and CCN holder can select an agreed-upon appraiser</i></b>	
Deadline for petitioner and the CCN holder to make a filing stating that they have selected an agreed-upon appraiser	Within 10 days after the Commission approves streamlined expedited release
Deadline for appraiser's report	Within 70 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to CCN holder	Within 60 days after appraiser's report
Deadline for petitioner to pay any compensation due to CCN holder	Within 90 days of the Commission's final order on compensation
<b><i>In the event streamlined expedited release is granted and petitioner and CCN holder unable to select an agreed-upon appraiser</i></b>	
Deadline for petitioner and the CCN holder to make a filing stating that they have been unable to select an agreed-upon appraiser	Within 10 days after the Commission approves streamlined expedited release

Deadline for reports from petitioner's appraiser and the CCN holder's appraiser	Within 70 days after the Commission approves streamlined expedited release
Deadline for Commission Staff's appraiser's report	Within 100 days after the Commission approves streamlined expedited release
Deadline for Commission's final order determining the amount of monetary compensation, if any, owed by petitioner to the CCN holder	Within 60 days after the Commission receives the final appraisal
Deadline for petitioner to pay any compensation due to the CCN holder	Within 90 days of the Commission's final order on compensation

#### IV. CONCLUSION

For the reasons detailed above, Staff recommends that the supplemented petition be found administratively complete, that the notice be found sufficient, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: August 14, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Marisa Lopez Wagley  
Division Director

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**DOCKET NO. 55238**

**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 August 14, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Anthony Kanalas  
Anthony Kanalas

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Anthony Kanalas, Attorney  
Legal Division

**FROM:** James Harville, Infrastructure Analyst  
Infrastructure Division

**DATE:** August 14, 2023

**RE:** Docket No. 55238 – *Petition of Jefferson Triangle Marine, L.P. to Amend Manville Water Supply Corporation's Certificate of Convenience and Necessity in Travis County by Streamlined Expedited Release*

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On July 14, 2023, Jefferson Triangle Marine, L.P. (Jefferson Triangle) filed a petition for streamlined expedited release from Manville Water Supply Corporation's (Manville WSC) water Certificate of Convenience and Necessity (CCN) No. 11144 in Travis County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Jefferson Triangle asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county.

The landowner's name is shown on the deed as "Jefferson Triangle Marine, L.P." therefore Staff requests a restyling of the docket to "*Petition of Jefferson Triangle Marine, L.P. to Amend Manville Water Supply Corporation's Certificate of Convenience and Necessity in Travis County by Streamlined Expedited Release.*"

Jefferson Triangle submitted a sworn affidavit attesting that the tract of land was not receiving water service from Manville WSC and a warranty deed confirming ownership of the landowner's total property. Jefferson Triangle included a statement indicating a copy of the petition was sent via certified mail to Manville WSC on the date the petition was filed with the Commission.

Based on the mapping review by Tracy Montes, Infrastructure Division, the maps and digital mapping data submitted with Item 1 on July 14, 2023 are sufficient for determining the location of the tract of land considered for streamlined expedited release is located within Manville WSC's water CCN.

The landowner's total property is approximately 62.8 acres. The tract of land in the petition for streamlined expedited release is approximately 62.8 acres, of which approximately 62.8 acres overlap Manville WSC (CCN No. 11144) and would be decertified from CCN No. 11144.

Based on my technical and managerial review and the mapping review by Tracy Montes, and the information provided by Jefferson Triangle, I recommend the petition be deemed administratively complete and accepted for filing.