



Filing Receipt

Filing Date - 2024-09-20 03:24:47 PM

Control Number - 56457

Item Number - 12

DOCKET NO. 56457

PETITION OF DENTON OLIVER	§	PUBLIC UTILITY COMMISSION
CREEK, LP TO AMEND AQUA TEXAS,	§	
INC.'S CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
DENTON COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE	§	

ORDER NO. 5
FINDING PETITION, AS SUPPLEMENTED AND AMENDED, ADMINISTRATIVELY
COMPLETE, FINDING NOTICE SUFFICIENT, AND ESTABLISHING PROCEDURAL
SCHEDULE

This Order addresses the April 5, 2024 petition of Denton Oliver Creek, LP to amend Aqua Texas, Inc.'s certificate of convenience and necessity (CCN) number 13201 in Denton County by streamlined expedited release.

I. Finding Petition, as Supplemented, Administratively
Complete and Notice Sufficient

On June 5, 2024, Denton Oliver Creek filed supplemental information, and on August 1, 2024, Denton Oliver Creek filed an amended petition. Denton Oliver Creek certified that it mailed a copy of its petition to Aqua Texas, by certified mail on the day the petition was filed with the Commission and included a copy of the certified mail receipt to Aqua Texas dated April 5, 2024. In addition, Denton Oliver Creek certified that it mailed a copy of its amended petition to Aqua Texas on the day its amended petition was filed with the Commission.

On September 17, 2024, Commission Staff filed a supplemental recommendation on the administrative completeness of the petition and notice and proposed a procedural schedule.

The administrative law judge finds the petition, as supplemented and amended, administratively complete and notice sufficient. The finding of administrative completeness does not address the merits of the petition.

II. Establishing Procedural Schedule

Under Texas Water Code (TWC) § 13.2541, the granting of streamlined expedited release initiates an appraisal process to determine the amount of monetary compensation that may be owed by the landowner to the certificate holder for the tract of land that was released. Therefore, an order granting approval for streamlined expedited release is interim in nature and, in the event the

requested release is approved, the docket will continue for the purpose of determining the issue of compensation.

The following procedural schedule applies in this case:

Event	Date
Deadline for the CCN holder to file a response, verified by a notarized affidavit, to the administratively complete petition	October 11, 2024
Deadline for the petitioner to file a reply to CCN holder's response to the administratively complete petition	October 18, 2024
Deadline for Commission Staff's recommendation on final disposition	October 29, 2024
60-day administrative approval of streamlined expedited release	November 19, 2024
<i>In the event streamlined expedited release is granted and the petitioner and the CCN holder can select an agreed-upon appraiser</i>	
Deadline for the 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 the petitioner to the CCN holder	Within 60 days after appraiser's report
Deadline for the petitioner to pay any compensation due to the CCN holder	Within 90 days of the Commission's final order on compensation
<i>In the event streamlined expedited release is granted and the petitioner and the CCN holder are unable to select an agreed-upon appraiser</i>	
Deadline for the 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 the 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 the petitioner to the CCN holder	Within 60 days after Commission receives the final appraisal
Deadline for the petitioner to pay any compensation due to the CCN holder	Within 90 days of Commission's final order on compensation

Signed at Austin, Texas the 20th day of September 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Rebecca Bromley-Williams", written over a horizontal line.

REBECCA BROMLEY-WILLIAMS
ADMINISTRATIVE LAW JUDGE

q:\cadm\doCKET management\water\cen_expedited\56xxx\56457-5 complete_suff_sched.docx