



## **Filing Receipt**

**Filing Date - 2025-04-01 02:44:24 PM**

**Control Number - 56457**

**Item Number - 26**

**DOCKET NO. 56457**

<b>PETITION OF DENTON OLIVER CREEK, LP TO AMEND AQUA TEXAS, INC.'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN DENTON COUNTY BY STREAMLINED EXPEDITED RELEASE</b>	<b>§ § § § § §</b>	<b>PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**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, Denton Oliver Creek, LP owes compensation to Aqua Texas, Inc. under Texas Water Code (TWC) § 13.2541. The Commission previously granted streamlined expedited release and removed Denton Oliver Creek's tract of land from Aqua Texas' certificated service area under certificate of convenience and necessity (CCN) number 13201. The Commission's determination on compensation is based on an agreement between the Denton Oliver Creek and Aqua Texas.

**I. Findings of Fact**

The Commission makes the following findings of fact.

**Petitioner**

1. Denton Oliver Creek is a Texas limited partnership registered with the Texas secretary of state under filing number 804351505.

**CCN Holder**

2. Aqua Texas is a Texas corporation registered with the Texas secretary of state under filing number 800304878.
3. Aqua Texas holds CCN number 13201 that obligates it to provide retail water service in its certificated service area in Denton County.

**Petition, Amended Petition, and Supplemental Materials**

4. On April 5, 2024, the petitioner filed a petition for streamlined expedited release of a tract of land from the CCN holder's service area under CCN number 13201.

5. On January 16, 2025, the Commission issued an Order granting the petition and released the tract of land from the CCN holder's certificated service area.
6. Ordering paragraph 7 of the Order stated that this proceeding would continue for the purpose of determining compensation in accordance with the schedule adopted in Order No. 5.

#### **Appraisers and Appraisals**

7. No appraisers are needed to determine compensation in this docket because of the agreement between the petitioners and the CCN holder.

#### **Compensation**

8. On March 25, 2025, the petitioners and CCN holder filed a joint notice of agreement regarding compensation.
9. On March 25, 2025, the parties filed, as confidential attachment A, the agreement regarding compensation which included the amount owed to the CCN holder as a result of the streamlined expedited 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)(6).
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)(1), if the petitioners and CCN holder agree on the amount of compensation to be paid, they may forego the appraisal process and make a joint filing with the Commission stating the amount of the compensation to be paid.
6. Compensation in the amount filed under confidential seal on March 25, 2025, is owed by the petitioners to the CCN holder for the release under TWC § 13.2541.

7. 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. The petitioners must pay to the CCN holder compensation in the amount disclosed in the confidential filing within 90 days from the date this Notice of Approval is filed.<sup>1</sup>
2. The Commission denies all other motions and any other requests for general or specific relief not expressly granted by this Order.

**Signed at Austin, Texas on the 1<sup>st</sup> day of April 2025.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**REBECCA BROMLEY-WILLIAMS  
ADMINISTRATIVE LAW JUDGE**

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<sup>1</sup> This implements the payment deadline mandated by 16 TAC § 24.254(i)(6). The parties are free to agree, via contract, to a shorter payment deadline.