



Control Number: 56531



Item Number: 19

**Thomas J. Gleeson**  
Chairman

**Lori Cobos**  
Commissioner

**Jimmy Glotfelty**  
Commissioner

**Kathleen Jackson**  
Commissioner

**Courtney K. Hjaltman**  
Commissioner



**Greg Abbott**  
Governor

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**Connie Corona**  
Executive Director

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PUBLIC UTILITY COMMISSION

## *Public Utility Commission of Texas*

**TO:** Chairman Thomas J. Gleeson  
Commissioner Lori Cobos  
Commissioner Jimmy Glotfelty  
Commissioner Kathleen Jackson  
Commissioner Courtney K. Hjaltman  
  
All Parties of Record

A handwritten signature in black ink, appearing to be "SJC".

**FROM:** Shelah Cisneros, Commission Counsel

**DATE:** 22 August 2024

**RE:** August 29, 2024 Open Meeting – Item No. 4

Docket No. 56531 – *Petition of Bobbie Williams to Amend City of Royse City's Certificates of Convenience and Necessity in Collin County by Streamlined Expedited Release*

A proposed order in the above-referenced docket is posted for consideration and action by the Commission. If the Commission approves the proposed order, I recommend the following changes to comport with the statutory and Commission rule criterion that the tract of land not be receiving water or sewer service.<sup>1</sup>

### **I. Findings of Fact**

#### **Water or Sewer Service to the Tract of Land**

18. The ~~portion of the tract of land for which the petitioner seeks release~~ is not receiving actual water or sewer service from the CCN holder. There are no billing records or other documents evidencing an existing account with the CCN holder for the ~~portion of the tract of land for which the petitioner seeks release~~.
20. The CCN holder has not committed or dedicated any facilities or lines to the ~~portion of the tract of land for which the petitioner seeks release~~ for water or sewer service.

<sup>1</sup> Tex. Water Code (TWC) §§ 13.2541(b); Texas Administrative Code (TAC) § 24.245(h)(1)(B).



21. The CCN holder has no facilities or lines that provide water or sewer service to the ~~portion of the tract of land for which the petitioner seeks release.~~
22. The CCN holder has not performed any acts for or supplied anything to the ~~portion of the tract of land for which the petitioner seeks release.~~

## II. Conclusions of Law

7. To obtain streamlined expedited release under TWC § 13.2541(b), the petitioner must demonstrate that it owns a tract of land that is at least 25 acres, that the tract of land is located in a qualifying county, and that ~~portion of the tract of land for which the petitioner seeks release~~ is not receiving service of the type that the current CCN holder is authorized to provide under the applicable CCN numbers.
8. The time that this petition was filed is the only relevant time period to consider when evaluating whether the ~~portion of the tract of land for which the petitioner seeks release~~ is receiving water or sewer service under TWC § 13.2541(b). Whether the ~~portion of the tract of land for which the petitioner seeks release~~ might have previously received water or sewer service is irrelevant.
12. The ~~portion of the tract of land for which the petitioner seeks release~~ is not receiving water or sewer service under TWC §§ 13.002(21) and 13.2541(b) and 16 TAC § 24.245(h), as interpreted in *Texas General Land Office v. Crystal Clear Water Supply Corporation*, 449 S.W.3d 130 (Tex. App.—Austin 2014, pet. denied).

## III. Ordering Paragraphs

2. The Commission does not decertificate any of the CCN holder's equipment or facilities that may lay on or under the ~~released portion of the~~ tract of land.

Additionally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the Citation and Style Guide for the Public Utility Commission of Texas and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

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