



Control Number: 46150



Item Number: 184

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OPEN MEETING COVER SHEET

COMMISSIONER MEMORANDUM

MEETING DATE: March 13, 2019

DATE DELIVERED: March 12, 2019

AGENDA ITEM NO.: 20

CAPTION: Docket No. 46150; SOAH Docket No. 473-17-0685.WS - Application of PK-RE Development Company, Inc. dba Oak Shores Water System and Undine Development, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Travis County

ACTION REQUESTED: Discussion and possible action with respect to Chairman Walker's memorandum

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Arthur C. D'Andrea
Commissioner

Shelly Botkin
Commissioner

John Paul Urban
Executive Director



Greg Abbott
Governor

Public Utility Commission of Texas

TO: Chairman DeAnn T. Walker
Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

All Parties of Record (*via electronic transmission*)

FROM: Lisa Carter 
Commission Advising

RE: Open Meeting of March 13, 2019 – Agenda Item No. 20
Docket No. 46150, SOAH Docket No. 473-17-0685.WS, *Application of PK-RE Development Company, Inc. dba Oak Shores Water System and Undine Development, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Travis County*

DATE: March 12, 2019

Please find enclosed a memorandum by Chairman Walker regarding the above-referenced docket. No other commissioner will file a memorandum in this docket.

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Public Utility Commission of Texas

Memorandum

TO: Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

FROM: Chairman DeAnn T. Walker 

DATE: March 12, 2019

RE: Open Meeting of March 13, 2019 – Agenda Item No. 20
Docket No. 46150 – SOAH Docket No. 473-17-0685.WS, *Application of PK-RE Development Company, Inc. dba Oak Shores Water System and Undine Development, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Travis County*

I recommend that the Commission make the below changes to the order in this proceeding.

Finding of fact 46 should be corrected for accuracy.

46. Undine has not been subject to any enforcement action by the Commission, TCEQ, the Texas ~~Department of Health and Human Services Commission~~, the Office of Attorney General, or the United States Environmental Protection Agency.

A new finding of fact 73 should be added and each subsequent finding of fact renumbered and ordering paragraph 5 should be modified in order to reflect the correction of the sewer-service tariff that was agreed to by Commission Staff and Undine.

73. On March 6, 2019, Commission Staff filed a revised proposed tariff for sewer utility service.

- OP 5. The Commission approves the water-service tariffs attached to the joint motion to admit evidence filed on January 23, 2019 and the revised sewer-service tariff filed on March 6, 2019.

A new ordering paragraph should be added to reflect commitments made by Undine.

- OP. Undine must require the Woods of Greenshores, Ltd., or its successors-in-interest, to contribute funds as developer contributions to the utility plant when lots in Section 2 of the Woods of Greenshores are sold or before a lot receives a water or wastewater tap. Undine will record these payments as a contribution in aid of construction, in a manner consistent with the National Association of Regulatory Utility Commissioners accounting standards.

I look forward to discussing this matter with you at the open meeting.