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SOAH DOCKET NO. 473-17-2285.WS
PUC DOCKET NO. 46333

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PUBLIC UTILITY COMMISSION
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APPLICATION OF PK-RE § BEFORE THE STATE OFFICE
DEVELOPMENT COMPANY, INC. §
D/B/A GREENSHORES UTILITY §
SERVICES AND D/B/A OAK SHORES § OF
WATER SYSTEM FOR AUTHORITY §
TO CHANGE RATES AND TARIFFS §
IN TRAVIS COUNTY § ADMINISTRATIVE HEARINGS

MOTION TO WITHDRAW

NOW COMES, PK-RE Development Company, Inc., d/b/a Greenshores Utility Services, d/b/a Oak Shores Water System (PK-RE) and files this Motion to Withdraw the above-captioned proceeding and in support thereof respectfully shows as follows:

1. On October 30, 2017, Undine Development LLC (Undine) filed an Agreed Motion to Abate Case and Suspend Proceeding stating that parties had executed a Settlement Agreement that resolved all issues in this docket and in PUC Docket No. 46150 (STM Docket), the application of Undine to purchase the assets of PK-RE.¹ Pursuant to the terms of the Settlement Agreement, no later than ten days after the closing of the transaction that is the subject of the STM Docket, PK-RE will withdraw the rate application that is the subject of this docket.

2. Order No. 15 granted the Agreed Motion and suspended the proceeding until October 25, 2018.²

¹ *Application of PK-RE Development Company, Inc., d/b/a Oak Shores Water System and Undine Development LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Travis County, Docket No. 46150 (pending).*

² Order No. 15, Granting Agreed Motion to Abate Case and Suspend Proceeding (Oct. 31, 2017).

3. On October 23, 2018, Undine filed a Status Report requesting an extension of thirty-three days for the effective date of the rates under the Application and a corresponding suspension period for the proceeding until November 27, 2018.³

4. Order No. 17 granted Undine's requested extension and suspended the proceeding until November 27, 2018.⁴


5. On November 9, 2018, Undine filed Notice of Proof that Transaction has been Consummated and Customer Deposits Have Been Properly Addressed in the STM Docket, stating that the STM transaction closed on November 6, 2018.⁵

6. Pursuant to the terms of the Settlement Agreement, PK-RE timely files this Motion to Withdraw this Application within ten days of the closing of the transaction in the STM docket.

7. Therefore, PK-RE requests that the Public Utility Commission of Texas grant its motion to withdraw, and grant all other relief, to which it is justly entitled.

Respectfully submitted,

PK-RE Development Company, Inc. dba
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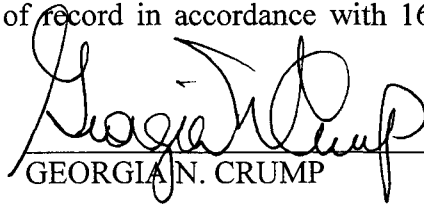
³ Docket No. 46150, Status Report (Oct. 23, 2018).

⁴ Order No. 17, Granting Agreed Request to Extend Suspension Period (Oct. 25, 2018).

⁵ Docket No. 46150, Notice of Proof that Transaction has been Consummated and Customer Deposits have been Properly Addressed (Nov. 9, 2018).

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2018, a true and correct copy of the foregoing document has been served on all parties of record in accordance with 16 Tex. Admin. Code § 22.74.



GEORGIA N. CRUMP