



Control Number: 46745



Item Number: 31

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RECEIVED

APPLICATION OF ORBIT SYSTEMS, §  
INC. AND UNDINE TEXAS, LLC FOR §  
THE SALE, TRANSFER, OR MERGER §  
OF FACILITIES AND CERTIFICATE §  
RIGHTS IN BRAZORIA, FORT BEND, §  
AND MATAGORDA COUNTIES §

PUBLIC UTILITY COMMISSION  
OF TEXAS

2017 MAY 11: 08  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**UNDINE TEXAS, LLC'S SUBMITTAL OF WITHDRAWAL REQUEST**

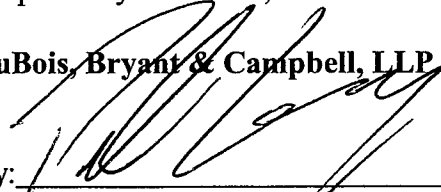
COMES NOW Undine Texas, LLC ("Undine") and files this Submittal of Withdrawal Request.

On May 8, 2017, the administrative law judge issued Order No. 4, establishing a deadline for Undine and Groundworks of Palm Beach County Inc. dba Groundworks Texas! ("Groundworks") to file an Agreement of Withdrawal of Groundworks' Hearing request. On May 12, 2017 Undine requested a two business day extension of that deadline. Attached hereto as Exhibit A is a copy of the Agreement of Withdrawal. This pleading is timely filed based on the pending extension request.

Respectfully submitted,

**DuBois, Bryant & Campbell, LLP**

By: \_\_\_\_\_

  
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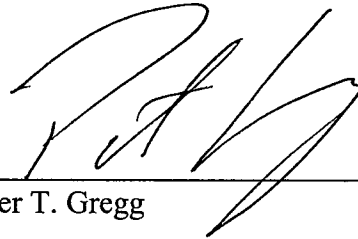
**Attorneys for Undine Texas, LLC**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document was served on the persons below by U.S. Mail and Email on this the \_\_\_\_ day of May, 2017:

Vera Dygert  
Public Utility Commission of Texas  
Legal Division  
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[Vera.Dygert@puc.texas.gov](mailto:Vera.Dygert@puc.texas.gov)

George Nottingham  
Groundworks Texas!  
5203 County Road 397  
Alvin, TX 77511  
[gpn@datepalm.com](mailto:gpn@datepalm.com)



Peter T. Gregg

# **EXHIBIT A**



5203 County Road 397 Alvin Texas 77511

May 11 2017

Public Utility Commission of Texas  
Central Records  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

RE: NOTICE OF WITHDRAWAL OF HEARING REQUEST

Docket No. 46745 – Application to Purchase Water and Sewage Facility and to Transfer Portions of Certificated Service Area Currently Under CCN 11982 from Orbit Systems, Inc. in Brazoria, Fort Bend and Matagorda Counties

Dear Sir or Madam:

I, George Nottingham, President of Groundworks of Palm Beach County Inc. dba Groundworks Texas!, sent a letter of protest and request for hearing on March 7, 2017 (attached) regarding the above-referenced application. Please be advised that based on the terms of an agreement reached between Groundworks and the applicant in this matter, I have determined that it is no longer necessary to seek a hearing on the application and so do hereby withdraw my letter of protest and am dropping my request for a public hearing.

Should you have any questions, please do not hesitate to contact the undersigned at (561) 436-3130 or via email to [gpn@datepalm.com](mailto:gpn@datepalm.com)

I will be leaving at 11:am to travel to the Bahamas and will be out of cell phone range from then until Monday morning of next week; if any party has any questions associated to these circumstances, please contact me before 11:am Central or on Monday.

Respectfully Submitted,

*George Nottingham – 59-2666737 Signed electronically*

George P. Nottingham  
President  
Groundworks of Palm Beach County Inc. dba Groundworks Texas!