



Control Number: 47206



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APPLICATION OF UNDINE TEXAS, §
LLC AND ORBIT SYSTEMS, INC. FOR §
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN BRAZORIA COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

2017 SEP 14 AM 10:34
PUBLIC UTILITY COMMISSION
FILING CLERK

**ORDER NO. 5
APPROVING SALE/TRANSFER TO PROCEED**

This Order addresses Commission Staff's September 13, 2017, recommendation that the transaction proposed in this application be allowed to proceed.

Consistent with Commission Staff's recommendation the transaction proposed in this application may proceed and be consummated. As soon as possible after the effective date of the transaction, but not later than 30 days after, Undine Texas, LLC and Orbit Systems, Inc. (collectively, applicants) shall file proof that the transaction has been consummated and customer deposits have been properly addressed.¹ Applicants have 180 days to complete the transaction.² If the transaction is not consummated within this period, the approval is void, unless the Commission, in writing, extends the time period for good cause shown.³ Applicants are advised that the certificate affected by this application will continue to be held by Orbit Systems, Inc. until this application is complete in accordance with Commission rules and final approval is granted.

In an effort to finalize this case as soon as possible, beginning October 13, 2017, and continuing monthly thereafter, the applicants shall file an update regarding the status of the efforts to conclude the transaction and submit documents evidencing the transaction was consummated and customer deposits properly addressed.

Within 15 days following the filing of the applicants' proof that the sale/transfer has been consummated and customer deposits have been addressed, Commission Staff shall file a

¹ 16 Tex. Admin. Code § 24.109(n) (TAC).

² 16 TAC § 24.109(o).


³ *Id.*

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recommendation regarding the sufficiency of the documents and propose a schedule for continued processing of this docket.

Signed at Austin, Texas the 14th day of September 2017.

PUBLIC UTILITY COMMISSION OF TEXAS



**SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE**

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