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APPLICATION OF UNDINE TEXAS, §
LLC AND SUBURBAN UTILITY §
COMPANY FOR SALE, TRANSFER, §
OR MERGER OF FACILITIES AND §
CERTIFICATE RIGHT IN HARRIS §
COUNTY §

PUBLIC UTILITY COMMISSION

2018 APR - 6 PM 4:11
PUBLIC UTILITY COMMISSION
OF TEXAS
TRAINING CLERK

**ORDER NO. 7
GRANTING EXTENSION OF TIME TO COMPLETE SALE TRANSACTION**

This Order addresses Undine Texas, LLC motion for extension of time to complete the sale transaction.

The Commission issued Order No. 6 in this docket on October 13, 2017, approving the sale and transfer transaction to proceed. Under 16 Texas Administrative Code § 24.109(o), the Commission's time period for approval of a transaction expires 180 days following the date of the Commission order allowing the transaction to proceed. Under this rule, if closing documents are not submitted within this period, or an extension granted, authorization for the transaction to proceed is void. The time period to complete the transaction expires on April 11, 2018. However, the rule does provide that the time period may be extended for good cause shown.

Undine stated that they have been acting as Temporary Manager of Suburban since September 2017. Undine's temporary management was due to expire on March 21, 2018, however, Undine requested an additional 45-day extension to its role to avoid any gap in its management and ultimate ownership of the Suburban facilities. The Commission Executive Director granted an Emergency Order extending Undine's role as Temporary Manager of Suburban for an additional 45 days, or until May 5, 2018.¹

Because Undine's temporary management has been extended until May 5, 2018, Undine requests that the Commission also extend the time period to complete the transaction until May 5, 2018.

¹ Commission Staff's Application for an Emergency Order Appointing a Temporary Manager to Suburban Utility Company Under Texas Water Code § 13.4132, Docket No. 47638, Emergency Order Extending the Term of the Commission Order Appointing a Temporary Manager to Suburban Utility Company (Mar. 21, 2018).

The request is granted and the time period to complete the transaction is extended until May 5, 2018. If closing documents are not submitted within this period, or an extension granted, approval of the transaction is void.

Within 30 days following the filing of proof that the transaction has been consummated and customer deposits (if any) have been addressed, Commission Staff shall file a recommendation on the adequacy of the documents.

Signed at Austin, Texas the 4th day of April 2018.

PUBLIC UTILITY COMMISSION OF TEXAS



IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT