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PUBLIC UTILITY COMMISSION

**APPLICATION OF UNDINE TEXAS,
LLC AND CONSUMERS WATER, INC.
FOR SALE, TRANSFER, OR MERGER
OF FACILITIES AND CERTIFICATE
RIGHTS IN HARRIS AND
MONTGOMERY COUNTIES**

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PUBLIC UTILITY COMMISSION

OF TEXAS

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
SUFFICIENCY OF NOTICE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Supplemental Recommendation.

I. BACKGROUND

On August 7, 2017, Undine Texas, LLC (Undine) and Consumers Water, Inc. (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of certificate rights in Harris and Montgomery counties (Application).¹ Supplements to the application were filed on August 11, 2017 and August 28, 2017.

On September 27, Undine filed a proof of notice, indicating that notice was completed on September 26, 2017.²

On October 9, 2017, Staff filed a recommendation that Undine's provision of notice be deemed sufficient.³

¹ Application (August 7, 2017).

² Proof of Notice (Sept. 27, 2017).

³ Commission Staff's Recommendation on Notice and Proposed Procedural Schedule (Oct. 9, 2017).

On October 12, 2017, Undine filed a supplemental proof of notice, indicating that notice inadvertently had not been provided to the county judges of Harris and Montgomery counties and that supplemental notice had been provided to them on October 11, 2017.⁴

II. SUPPLEMENTAL RECOMMENDATION ON NOTICE

Staff has reviewed Undine's supplemental proof of notice and recommends that it be deemed to be sufficient.

Undine requests that the existing procedural schedule not be delayed because of the supplemental notice.⁵ Staff agrees with Undine's request. Staff supports a good cause exception to the extent the presiding officer may find that one is necessary.

IV. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above discussion.

⁴ Undine Texas, LLC's Supplemental Proof of Notice by Affidavit (Oct. 12, 2017).

⁵ *Id.* at 1.

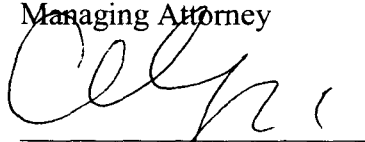
Date: October 13, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

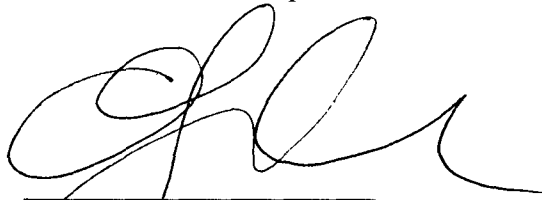
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CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 13, 2017 in accordance with 16 TAC § 22.74.


A. J. Smullen