



Control Number: 47477



Item Number: 46

Addendum StartPage: 0

DOCKET NO. 47477

RECEIVED

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

2018 NOV 30 PM 11:24
BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

JOINT MOTION TO ADMIT EVIDENCE

COMES NOW Undine Texas LLC (Undine), together with the Staff of the Public Utility Commission of Texas (Staff) representing the public interest and Consumers Water, Inc. (Consumers) (collectively, Parties), and files this Joint Motion to Admit Evidence. In support thereof, the Parties show the following:

I. BACKGROUND

On August 7, 2017, Undine and Consumers (collectively, Applicants) filed an application with the Public Utility Commission of Texas (Commission) for the sale, transfer, or merger of facilities and certificate rights in Harris and Montgomery Counties, Texas. Consumers sought approval to transfer all water facilities and service area under certificate of convenience and necessity (CCN) No. 10347 to Undine. The requested area includes approximately 1,518 acres and 1,746 current customers.

On December 4, 2017, Order No. 6 was issued, permitting the transaction to proceed and requiring the filing of documents demonstrating the close of the transaction. On July 16, 2018, Applicants filed the required closing documents.

On July 30, 2018, Staff filed a recommendation that the Applicants' closing documents were consistent with the applicable Commission rules.

On August 2, 2018, Order No. 8 was issued finding Undine's closing documentation sufficient.

On October 3, 2018, the Parties filed a Joint Motion for Adoption of a Proposed Notice of Approval.

W/6

On November 20, 2018, Order No. 10 was issued, requiring parties to file a joint motion to admit evidence by November 30, 2018. Therefore, this pleading is timely filed.

II. JOINT MOTION TO ADMIT EVIDENCE

The Parties respectfully request that the following documents be admitted into evidence in this proceeding for the purpose of supporting a Commission notice of approval.

1. Applicants' application, and all attachments thereto, filed on August 7, 2017 (AIS Item No. 1);
2. Applicants' supplemental filing to the application, filed on August 11, 2017 (AIS Item No. 7);
3. Applicants' first errata to the application, filed on August 28, 2017 (AIS Item No. 9);
4. Applicants' second errata to the application, filed on September 18, 2017 (AIS Item No. 12);
5. Applicants' affidavit and proof of notice, filed on September 27, 2017 (AIS Item No. 15);
6. Applicants' supplemental affidavit and proof of notice, filed on October 12, 2017 (AIS Item No. 19);
7. Commission Staff's Recommendation on Approval of Sale, and all attachments thereto, filed on November 29, 2017 (AIS Item No. 22);
8. Applicants' Notice of Proof that Transaction has been Completed and Customer Deposits have been Properly Addressed, filed on July 16, 2018 (AIS Item No. 34);
9. Commission Staff's Recommendation on Sufficiency of Closing Documents, filed on July 30, 2018 (AIS Item No. 36);
10. Undine's revised Consent Form to the final map and certificate, filed on September 28, 2018 (AIS Item No. 42); and
11. The final map and certificate, filed on October 3, 2018, attached to the Joint Motion for Adoption of Proposed Notice of Approval (AIS Item No. 43).

III. CONCLUSION

The Parties have agreed that Undine is authorized to file this pleading on their behalf. Therefore, the Parties respectfully request that the Commission grant the Joint Motion to Admit Evidence.

Dated: November 30, 2018.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE
& TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900

Austin, Texas 78701

(512) 322-5800

(512) 472-0532 (Fax)

gcrump@lglawfirm.com

jmauldin@lawfirm.com



GEORGIA N. CRUMP
State Bar No. 05185500

JAMIE L. MAULDIN
State Bar No. 24065694

ATTORNEYS FOR UNDINE TEXAS, LLC

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2018, 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.

