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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

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PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION
OF TEXAS CLERK

DOCKET NO. 48750

PETITION OF LAURUS HOLDINGS,
L.P., UNDER TEXAS WATER CODE §
13.245(A) TO DECERTIFY PROPERTY
FROM WATER CCN NO. 103247 IN
MONTGOMERY COUNTY, TEXAS

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PUBLIC UTILITY COMMISSION

OF TEXAS

JOINT COMMENTS

COMES NOW Undine Texas, LLC (Undine), Laurus Holdings, L.P. (Laurus), and Staff of the Public Utility Commission of Texas (Staff) representing the public interest (collectively, Parties), and file these Joint Comments in response to the Order Requesting Clarification (Order), dated March 20, 2019.

The Commission has requested clarification concerning the petition filed by Laurus in Docket No. 48750 to remove certain properties from the certificated service area of Consumers Water, Inc. (Consumers), and whether these properties should now be excluded from the service area to be transferred from Consumers to Undine in Docket No. 47477.

It is the intent of Undine and Laurus that the properties owned by Laurus, that are the subject of Docket No. 48750, should be removed from the service area formerly held by Consumers, and transferred to Undine in Docket No. 47477.

Undine and Consumers filed their application for sale, transfer, or merger (STM) in Docket No. 47477 on August 7, 2017. The transaction was approved by the Commission on December 4, 2017, and the transaction closed on July 2, 2018. Laurus filed its petition in Docket No. 48750 on

October 9, 2018, pursuant to an agreement between Laurus and Consumers, as evidenced by an affidavit dated July 10, 2018 (filed in Docket No. 48750).¹


At the request of Laurus, Undine provided its written consent to the decertification of the Laurus property by affidavit dated October 24, 2018.² Therefore, Lot 146 and one-half of Lot 147 of the Spring Forest Subdivision should not be included in water CCN No. 13260 (Undine). Undine intends to provide an amendment to its application, as required by the Order, along with updated maps for the Spring Forest Subdivision. As a result of the STM application in Docket No. 47477, Consumers does not retain any service area in CCN No. 10347.

Counsel for Undine has conferred with Staff in both dockets, and is authorized to represent that Staff is unopposed to these Joint Comments.

Respectfully submitted,

MATTHEWS & FREELAND, LLP


8140 N. MoPac Expy
Austin, Texas 78759
(512) 404-7800
(512) 703-2785 (Fax)
jfreeland@mandf.com


C. JOE FREELAND
State Bar No. 07417500

**ATTORNEYS FOR LAURUS
HOLDINGS, L.P.**

**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

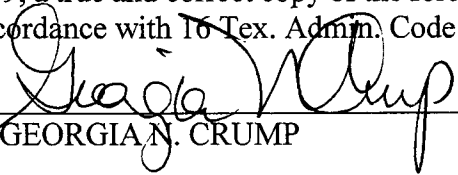
ATTORNEYS FOR UNDINE TEXAS, LLC.

¹ Docket No. 48750, Petition of Laurus Holdings, LP and Medical Village of Cypress Creek, LP to Decertify Property from Water CCN No. 10347 in Montgomery County (Oct. 9, 2018).

² Docket No. 48750, Supplement to Petition by Laurus Holdings, LP and Medical Village of Cypress Creek, LP to Decertify Property from Water CCN No. 10347 in Montgomery County (Oct. 26, 2018).

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2019, a 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.



GEORGIA N. CRUMP