



Control Number: 47477



Item Number: 50

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DOCKET NO. 47477

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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BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

UNDINE TEXAS, LLC'S THIRD ERRATA TO APPLICATION

Undine Texas, LLC (Undine) hereby files this Third Errata to its Application in response to the Public Utility Commission's (Commission) Order Requesting Clarification (Clarification Order), and states the following:

I. BACKGROUND

On August 7, 2017, Undine and Consumers Water, Inc. (Consumers) filed the Application of Undine Texas, LLC and Consumers Water, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Harris and Montgomery Counties (Application). In the Application, Undine requested approval for its acquisition of all of the water systems under CCN No. 10347. The transaction was approved by the Commission on December 4, 2017, and the transaction closed on July 2, 2018.

During the period when Undine has been awaiting a Notice of Approval in this Docket, Laurus Holdings, L.P. (Laurus) filed a request to remove certain properties from Consumers' CCN No. 10347.¹ On March 25, 2019, Laurus and Undine filed Joint Comments in this docket and in Docket No. 48750 to clarify the parties' agreement that the property owned by Laurus should be removed from the service area contained within CCN No. 10347 before it is transferred by final order to Undine.

The Clarification Order further required Undine to amend the Application in this docket, and to provide updated maps to exclude the Laurus property from the area to be transferred from

¹ *Petition of Laurus Holdings, L.P. and Medical Village of Cypress Creek, L.P. to Amend Consumers Water, Inc.'s Certificate of Convenience and Necessity in Montgomery County*, Docket No. 48750 (Oct. 9, 2018).

Consumers to Undine. When the Laurus property is removed from the area to be transferred from Consumers to Undine, and when the Laurus request is approved in Docket No. 48750, there will be no service area retained by Consumers.

II. THIRD ERRATA TO APPLICATION

Undine filed its First Errata to the Application on August 28, 2017, to remove properties from CCN No. 10347 located in the Spring Forest Subdivision in response to a Notice of Approval issued in Docket No. 46731.² Undine filed its Second Errata to the Application on September 18, 2017, to remove the Peach Creek Colony Subdivision from the properties in the service area that will be transferred to Undine upon approval of the Application. Undine hereby files this Third Errata to amend the Application. This Third Errata provides revised maps (hardcopy) to remove the Laurus property, also located in the Spring Forest Subdivision, from the area to be transferred to Undine. The total acreage to be transferred in the Spring Forest Subdivision is now 251 acres. The removal of the Laurus property from CCN No. 10347 results in a total acreage of 1517 acres being transferred from Consumers to Undine.

Attached to this pleading are the following:

- (1) Revised Page 115 of Attachment K (dated April 1, 2019), being the General Location Map showing Water CCN areas to be transferred in Harris and Montgomery Counties (to be substituted in place of the Revised Page 115 dated September 18, 2017);
- (2) Revised Page 127 of Attachment K (dated April 1, 2019), being the Large Scale Map of the Spring Forest Subdivision in Montgomery County (to be substituted in place of Revised Page 127 dated September 18, 2017); and
- (3) Revised Page 134 of Attachment K (dated April 1, 2019), being a corrected description of the Spring Forest Subdivision system (to be substituted in place of Revised Page 134 dated September 18, 2017).

² *Petition of Grand Oaks Partners, L.L.C. to Decertify a Portion of Consumers Water Inc.'s Certificate of Convenience and Necessity in Montgomery County*, Docket No. 46731 (Jan. 5, 2017).

Undine respectfully requests that its Application be revised as provided herein.

Respectfully submitted,

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

816 Congress Avenue, Suite 1900

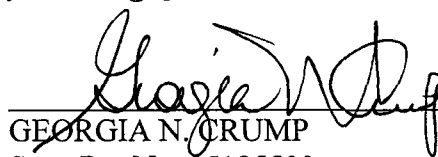
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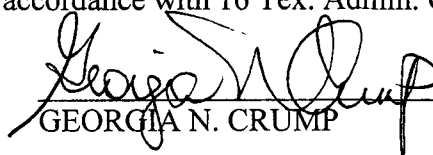
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ATTORNEYS FOR UNDINE TEXAS, LLC

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 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

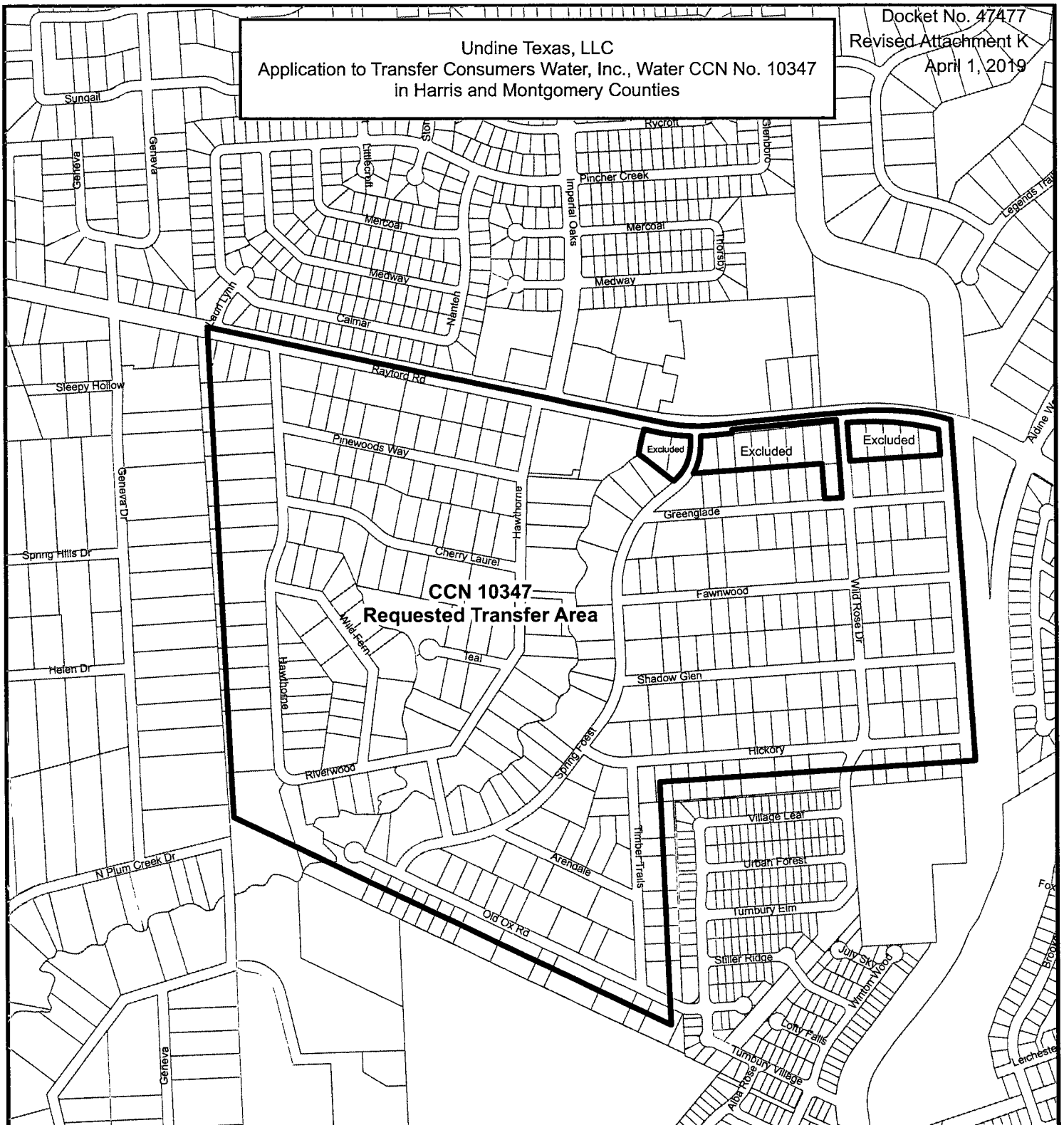
Undine Texas, LLC
Application to Transfer Consumers Water Inc., Water CCN No. 10347
in Harris and Montgomery Counties

 Requested Transfer Areas - 1417 total acres

0 2 4
Miles

Undine Texas, LLC
Application to Transfer Consumers Water, Inc., Water CCN No. 10347
in Harris and Montgomery Counties

Docket No. 47477
Revised Attachment K
April 1, 2019



Spring Forest Subdivision in Montgomery County - Large Scale Map - REVISED

Water CCN Area to Transfer

 CCN 10347 - Consumers Water Inc - approx 251 acres



0 375 750
Feet

Peach Creek Oaks Subdivision

The area subject to this transaction is located within approximately 29 miles northeast of downtown Houston, Texas, and is generally bounded on the north by 220' north of Pine Dr; on the east by Roadway Ln; on the south by SH 99; and on the west by Peach Creek in Montgomery County.

The total area being requested includes approximately 83 acres and serves 70 current customers.

Pioneer Trails Subdivision

The area subject to this transaction is located within approximately 32 miles north of downtown Houston, Texas, and is generally bounded on the north by 380' north of Springfield Dr; on the east by 875' east of Old Houston Rd; on the south by 480' south of Deep Woods Trail; and on the west by Dry Creek in Montgomery County.

The total area being requested includes approximately 318 acres and serves 133 current customers.

Porter Terrace Subdivision

The area subject to this transaction is located within approximately 24 miles north of downtown Houston, Texas, and is generally bounded on the north by Old Sorters Rd; on the east by 200' east of E. Terrace Dr; on the south by 140' north of Lavone Dr; and on the west by Enloe Rd in Montgomery County.

The total area being requested includes approximately 103 acres and serves 109 current customers.

Spring Forest Subdivision

The area subject to this transaction is located within approximately 25 miles north of downtown Houston, Texas, and is generally bounded on the north by Rayford Rd; on the east by 730' east of Wild Rose Dr; on the south by 130' south of Old Ox Rd; and on the west by 500' east of Geneva Dr in Montgomery County.

The total area being requested includes approximately 251 acres and serves 258 current customers.