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PUBLIC UTILITY COMMISSION
OF TEXAS

APPLICATION OF UNDINE TEXAS, §
LLC AND GULF COAST UTILITY §
COMPANY, INC. FOR SALE, §
TRANSFER, OR MERGER OF §
WATER FACILITIES AND §
CERTIFICATE RIGHTS IN §
BRAZORIA AND MATAGORDA §
COUNTIES §

PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S 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 response to Order No. 2, Staff's Recommendation on Sufficiency of Notice. Staff recommends that the notice be deemed sufficient and that the proposed procedural schedule be adopted. In support thereof, Staff shows the following:

I. BACKGROUND

On September 22, 2017, Undine Texas, LLC (Undine) and Gulf Coast Utility Company, Inc. (Gulf Coast Utility) filed an application for the sale, transfer, or merger of facilities and certificate rights in Brazoria and Matagorda Counties. Specifically, Undine seeks approval to acquire all of Gulf Coast Utility's facilities and cancel Gulf Coast Utility's water certificate of convenience and necessity No. 12094.

Order No. 2, issued on October 26, 2017, established a deadline for Staff to file a recommendation on the sufficiency of the Applicants' notice within ten days of the applicants filing proof of completed notice with the Commission. Undine filed proof of notice on December 6, 2017. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the affidavits filed by Undine and recommends that notice be deemed sufficient. On December 6, 2017, Undine submitted copies of the notices that were provided to the affected parties by mail and by newspaper, as well as the signed and notarized affidavits attesting that notice was provided. Undine sent notice by mail as recommended by Staff on

November 15, 2017, and published notice by newspaper on November 9 and 16, 2017, in Brazoria County, Texas, and on November 12, 15, and 19, 2017, in Matagorda County, Texas.

III. PROCEDURAL SCHEDULE

Staff recommends the notice be found sufficient. Staff therefore proposes the following procedural schedule:

Event	Date
Notice completed	November 19, 2017
Deadline for intervention ¹	December 19, 2017
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	January 17, 2018
Deadline for parties to file a response to Staff's recommendation	February 2, 2018
120 day deadline for the Commission to approve the sale or require a hearing ²	March 19, 2018

Staff is authorized to represent that Undine is unopposed to the schedule.

IV. CONCLUSION

Staff respectfully requests an order to be issued deeming the notice sufficient and adopting the above proposed procedural schedule.

¹ Pursuant to 16 TAC § 24.109(b), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on November 15, 2017, and published on November 9 and 16, 2017, in Brazoria County, Texas, and on November 12, 15, and 19, 2017, in Matagorda County, Texas. Therefore, 30 days after November 19, 2017 is December 19, 2017.

² Pursuant to 16 TAC § 24.109, the deadline for Commission action is 120 days after the later of either when the application is filed, when notice was mailed, or when notice is published. One hundred and twenty days after the day notice was completed, November 19, 2017, is March 19, 2018.

Dated: December 15, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Stephen Mack
Managing Attorney

Rosemary E. Hambright

Rosemary E. Hambright
State Bar No. 24101856
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7230
(512) 936-7268 (facsimile)
Rosemary.Hambright@puc.texas.gov

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on December 15, 2017, in accordance with 16 Tex. Admin. Code § 22.74.

Rosemary E. Hambright

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