



Control Number: 47640



Item Number: 40

Addendum StartPage: 0

DOCKET NO. 47640

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

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UNDINE TEXAS, LLC'S THIRD REQUEST FOR EXTENSION

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Comes Now Undine Texas, LLC ("Undine") and files this Request for Extension.

On August 21, 2018, Order No. 6 was entered extending the deadline for Applicants to complete the transaction to October 6, 2018. For the reasons set forth herein, Undine hereby requests a forty-five day extension to November 20, 2018, to complete the transaction.

**I.
DISCUSSION**

The Commission rules provide that the 180-day deadline to complete the transaction may be extended for good cause shown. 16 Tex. Admin. Code § 24.109(o). Undine and the seller, Gulf Coast Utility Company, Inc., have been working diligently to close the transaction within the applicable timeframe. As indicated previously the parties identified certain unanticipated impediments to closing within the 180-day deadline. Those impediments were addressed; however, the parties subsequently identified issues with the assignment or transfer of certain easements previously unknown to the parties and relevant to the transaction. The parties worked to get those easement issues addressed, but were then left with resulting additional title issues to address. Addressing those additional title issues had been impeded by the unforeseen circumstances of the illness in the family of the seller principle and the recent hospitalization of

seller's real estate counsel. Despite their best efforts, the parties will need to continue to work to resolve those title issues beyond the amended October 6, 2018 deadline. This transaction will close. The parties and this transaction would be substantially adversely impacted if this application was dismissed in lieu of allowing the parties an additional 45 days to file proof of the transaction. Other than resolution of the easement and related title issues, the parties are otherwise prepared to close the transaction (including having the funding in place and ready to be conveyed). Undine does not seek this extension for purposes of delay.

II. CONCLUSION

Undine respectfully requests that the Request for Extension to November 20, 2018 be granted. The undersigned has consulted with counsel for Commission Staff, who has indicated they do not oppose this request.

Respectfully submitted,

DuBois, Bryant & Campbell, LLP

By: 

Peter T. Gregg
State Bar No. 00784174
303 Colorado, Suite 2300
Austin, Texas 78701
pgregg@dbcllp.com
(512) 457-8000
(512) 457-8008 (fax)

Attorneys for Undine Texas, LLC

CERTIFICATE OF SERVICE

I do hereby certify by my signature above that a true ~~and~~ correct copy of the foregoing document was served by U.S. Mail and Email on this the 5th day of October, 2018, to the following:

Alexander Petak
Public Utility Commission of Texas
Legal Division
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
Alexander.Petak@puc.texas.gov