



Control Number: 48151



Item Number: 16

Addendum StartPage: 0

DOCKET NO. 48151

**APPLICATION OF BOLIVER §
UTILITY SERVICES, LLC AND §
UNDINE TEXAS ENVIRONMENTAL, §
LLC FOR SALE, TRANSFER, OR §
MERGER OF FACILITIES AND §
CERTIFICATES RIGHTS IN §
GALVESTON COUNTY §**

PUBLIC UTILITY COMMISSION 2019 NOV 10 AM 11:34

OF TEXAS

**COMMISSION STAFF'S REDACTED FIRST REQUEST FOR INFORMATION
TO UNDINE TEXAS ENVIRONMENTAL, LLC
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-4**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144, the Staff of the Public Utility Commission of Texas (Staff) requests that Undine Texas Environmental, LLC (Undine) by and through its attorneys of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.

Dated: June 18, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney



Richard Nemer
State Bar No. 24042829
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7348
(512) 936-7268 (facsimile)
richard.nemer@puc.texas.gov

DOCKET NO. 48151

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 18, 2018, in accordance with 16 TAC § 22.74.



Richard Nemer

DOCKET NO. 48151

**COMMISSION STAFF'S REDACTED FIRST REQUEST FOR INFORMATION
TO UNDINE TEXAS ENVIRONMENTAL, LLC
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-4**

DEFINITIONS

- 1) "Undine," "Company" or "you" refers to Undine Texas Environmental, LLC, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist and these documents will be provided.

DOCKET NO. 48151

**COMMISSION STAFF'S REDACTED FIRST REQUEST FOR INFORMATION
TO UNDINE TEXAS ENVIRONMENTAL, LLC
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-4**

INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

DOCKET NO. 48151

**COMMISSION STAFF'S REDACTED FIRST REQUEST FOR INFORMATION
TO UNDINE TEXAS ENVIRONMENTAL, LLC
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-4**

Staff 1-1

[REDACTED]

As it relates to Undine's current ratio, please provide the following information:

- a.) An explanation as to how Undine will pay current creditors as payables become due in the next twelve months; and
- b.) Any written guarantees from investors or other parties that support the liquidation of current liabilities.

Staff 1-2

[REDACTED]

As it relates to Undine's payment of the purchase price, please provide the following information:

- a.) An explanation as to how Undine will fund the transaction at closing; and
- b.) Documentation supporting any written guarantees from investors or other parties verifying that Undine will have the capacity to fund the transaction at closing.

Staff 1-3

In order to satisfy the financial tests under 16 Tex. Admin. Code (TAC) § 24.11(e), please provide financial documentation for Undine's parent company owner or operator. Specifically, please provide the following information:

- a.) A balance sheet from the most recently available quarter; and
- b.) An income statement for the most recently available quarter.

Staff 1-4

[REDACTED]

In order to satisfy the operations test under 16 TAC § 24.11(e)(3), please provide a notarized affidavit signed by an appropriate representative of Undine's parent company owner or operator as a written guarantee to cover any operations and maintenance cash shortages.