

Control Number: 48388



Item Number: 24

Addendum StartPage: 0

DOCKET NO. 48388

RECEIVED

2018 SEP 14 PM 2:42

PUBLIC UTILITY COMMISSION CLERK

APPLICATION OF CHUCK BELL §
DBA CHUCK BELL WATER §
SYSTEMS, LLC AND UNDINE §
TEXAS, LLC FOR SALE, TRANSFER, §
OR MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN §
JOHNSON AND TARRANT §
COUNTIES §

PUBLIC UTILITY COMMISSION

OF TEXAS

**UNDINE TEXAS, LLC'S RESPONSE TO
ORDER NO. 3**

COMES NOW, Applicant, Undine Texas, LLC ("Undine") and files this Response to Order No. 3. Order No. 3 establishes a deadline of September 21, 2018 to provide the information contained herein. Accordingly, this response is timely filed.

Attached as Exhibit A is the Publisher's Affidavit and tear sheets confirming publication on September 1, 2018 and September 8, 2018 in Tarrant County, Texas.

Attached as Exhibit B-1 is the notice to affected parties and an affidavit of delivery and notice.

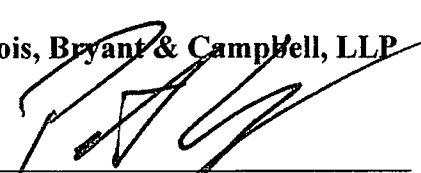
Attached as Exhibit B-2 (submitted confidentially) is a list of recipients.

Attached as Exhibit C are the maps associated with Undine's application.

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

By my signature above, I hereby certify that a true and correct copy of the foregoing document was served by U.S. Mail and Email on the person indicated below on this the 14th day of September, 2018:

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

EXHIBIT A
PUBLISHER'S AFFIDAVIT

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT
DOCKET NO. 48388

STATE OF TEXAS
COUNTY OF Tarrant

Before me, the undersigned authority, on this day personally appeared Christine Lyle

who being by me duly sworn, deposes and that (s)he is the legal rep of the For Worth Star Telegram
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in Tarrant, Johnson, Wise, Hood & Parker
(COUNTY/COUNTIES)

and generally circulated in Tarrant, Johnson, Wise, Hood & Parker . Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

Sept 1, 2018 - Sept 8, 2018
(DATES)

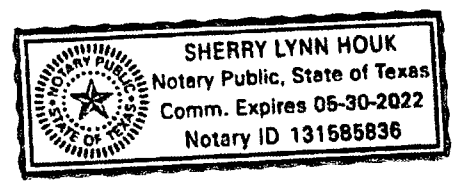
[Signature]
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 13 day of September .2018
to certify which witness my hand and seal of office.

Sherry Lynn Houk
Notary Public in and for the State of Texas

Sherry Lynn Houk
Print or Type Name of Notary Public

Commission Expires 5-30-2022



Buffalo Creek. The requested area includes approximately 130 total acres and 49 current customers.

Crowley Two Acres Addition (Johnson County)

The requested area is located approximately 8 miles west of downtown Burleson, TX, and is generally bounded on the north by a line 0.5 mile north of CR 920; on the east by CR 1015; on the south by Chisholm Trail; and on the west by Anna Dale Lane and East Chisholm Court. The requested area includes approximately 5 total miles of facilities only lines and 93 current customers.

John Dame Addition (Johnson County)

The requested area is located approximately 8 miles west of downtown Burleson, TX, and is generally bounded on the north by a line 0.5 mile north of CR 920; on the east by Creekview Street; on the south by CR 920; and on the west by a line 450' west of Frazier Lane. The requested area includes approximately 96 total acres and 51 current customers.

Martin Creek Estates (Johnson County)

The requested area is located approximately 6 miles northwest of downtown Cleburne, TX, and is generally bounded on the north by a line 0.5 mile north of CR 902; on the east by a line 0.4 mile east of Martin Creek Drive; on the south by CR 902; and on the west by Martin Creek. The requested area includes approximately 68 total acres and 26 current customers.

Rock Creek Estates (Johnson County)

The requested area is located approximately 7 miles west of downtown Burleson, TX, and is generally bounded on the north by a line 260' north of Rock Creek Road; on the east by Rock Creek; on the south by a line 640' south of Overview Drive; and on the west by a line 0.35 mile west of Sunrise Drive. The requested area includes approximately 101 total acres and 40 current customers.

Sanders View Addition (Johnson County)

The requested area is located approximately 4 miles northeast of downtown Cleburne, TX, and is generally bounded on the north by a line 430' north of Sanders Road; on the east by CR 701; on the south by CR 701; and on the west by Hopewell Road. The requested area includes approximately 101 total acres and 30 current customers.

A copy of the map showing the requested area is available at: Cleburne Public Library, 302 W Henderson St., Cleburne, Texas 76033, (817) 645-0934

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is 30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer. You must send a letter requesting intervention to the commission which is received by that date.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final

decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within 30 days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map and a metes and bounds description of the landowner's tract of land.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea informacion en español, puede llamar al 1-888-782-8477.

**DOCKET NO. 48388
Notice for Publication**

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO PURCHASE FACILITIES, TRANSFER WATER SERVICE AREA AND CANCEL CHUCK BELL DBA CHUCK BELL WATER SYSTEMS, LLC'S CCN NO. 12190 IN JOHNSON AND TARRANT COUNTIES, TEXAS

Undine Texas, LLC has filed an application with the Public Utility Commission of Texas to amend their water service area and to purchase water facilities, transfer water service area and cancel Chuck Bell dba Chuck Bell Water Systems, LLC's CCN No. 12190, in Johnson and Tarrant Counties, TX.

Bear Creek (Tarrant County)

The requested area is located approximately 15 miles southwest of downtown Fort Worth, TX, and is generally bounded on the north by Ben Day Murrin Road; on the east by Mustang Wells Drive; on the south by a line 550' south of Bear Creek Drive East; and on the west by a line 1200' west of Bear Creek Drive East. The requested area includes approximately 39 total acres and 20 current customers.

Bell Manor Estates (Johnson County)

The requested area is located approximately 6 miles west of downtown Burleson, TX, and is generally bounded on the north by a line 350' north of Sparks Lane; on the east by FM 1902; on the south by CR 920; and on the west by a line 500' east of Valley View Road. The requested area includes approximately 63 total acres and 24 current customers.

Buffalo Creek Estates (Johnson County)

The requested area is located approximately 4 miles northeast of downtown Cleburne, TX, and is generally bounded on the north by a line 700' north of Steinway Lane; on the east by CR 801A; on the south by CR 801A; and on the west by East

EXHIBIT B-1

NOTICE TO CUSTOMERS AND LANDOWNERS

Crowley Two Acres Addition (Johnson County)

- The requested area is located approximately 8 miles west of downtown Burleson, TX, and is generally bounded on the north by a line 0.5 mile north of CR 920; on the east by CR 1015; on the south by Chisholm Trail; and on the west by Anna Dale Lane and East Chisholm Court. The requested area includes approximately 5 total miles of 'facilities only' lines and 93 current customers.

John Dame Addition (Johnson County)

- The requested area is located approximately 8 miles west of downtown Burleson, TX, and is generally bounded on the north by a line 0.5 mile north of CR 920; on the east by Creekview Street; on the south by CR 920; and on the west by a line 450' west of Frazier Lane. The requested area includes approximately 96 total acres and 51 current customers.

Martin Creek Estates (Johnson County)

- The requested area is located approximately 6 miles northwest of downtown Cleburne, TX, and is generally bounded on the north by a line 0.5 mile north of CR 902; on the east by a line 0.4 mile east of Martin Creek Drive; on the south by CR 902; and on the west by Martin Creek. The requested area includes approximately 68 total acres and 26 current customers.

Rock Creek Estates (Johnson County)

- The requested area is located approximately 7 miles west of downtown Burleson, TX, and is generally bounded on the north by a line 260' north of Rock Creek Road; on the east by Rock Creek; on the south by a line 640' south of Overview Drive; and on the west by a line 0.35 mile west of Sunrise Drive. The requested area includes approximately 101 total acres and 40 current customers.

Sanders View Addition (Johnson County)

- The requested area is located approximately 4 miles northeast of downtown Cleburne, TX, and is generally bounded on the north by a line 430' north of Sanders Road; on the east by CR 701; on the south by CR 701; and on the west by Hopewell Road. The requested area includes approximately 101 total acres and 30 current customers.

This transaction will not have an effect on the current customer's rates and services.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility.

All opt out requests must include a large-scale map and a metes and bounds description of the landowner's tract of land.

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Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

Carey Thomas
Utility Representative

Undine Texas, LLC
Utility Name

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES DOCKET NO. 48388

STATE OF TEXAS COUNTY OF Harris

Undine Texas, LLC has provided individual notice to the following entities and customers:

Current Customers, Neighboring Utilities, and Affected Parties Related to Docket No. 48388 DATE OF NOTICE August 24, 2018

OATH

I, Carey A. Thomas, being duly sworn, file this form as Senior Vice President (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.

Carey A. Thomas Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 12th day of September, 2018, to certify which witness my hand and seal of office.

Nicia Rotermund Notary Public in and for the State of Texas

Nicia Rotermund Print or Type Name of Notary Public

Commission Expires 1-28-2021

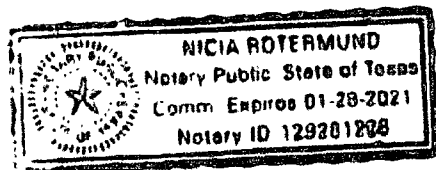


EXHIBIT B-2

LIST OF RECIPIENTS
(Confidential)

CONFIDENTIAL

DOCKET NO. 48388

STYLE: Application of Chuck Bell dba Chuck Bell Water Systems, LLC and Undine Texas, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Johnson and Tarrant Counties

SUBMITTING PARTY: Undine Texas, LLC

BRIEF DESCRIPTION OF CONTENTS: Exhibit B-2

List of Recipients

BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE:

12 TO 16

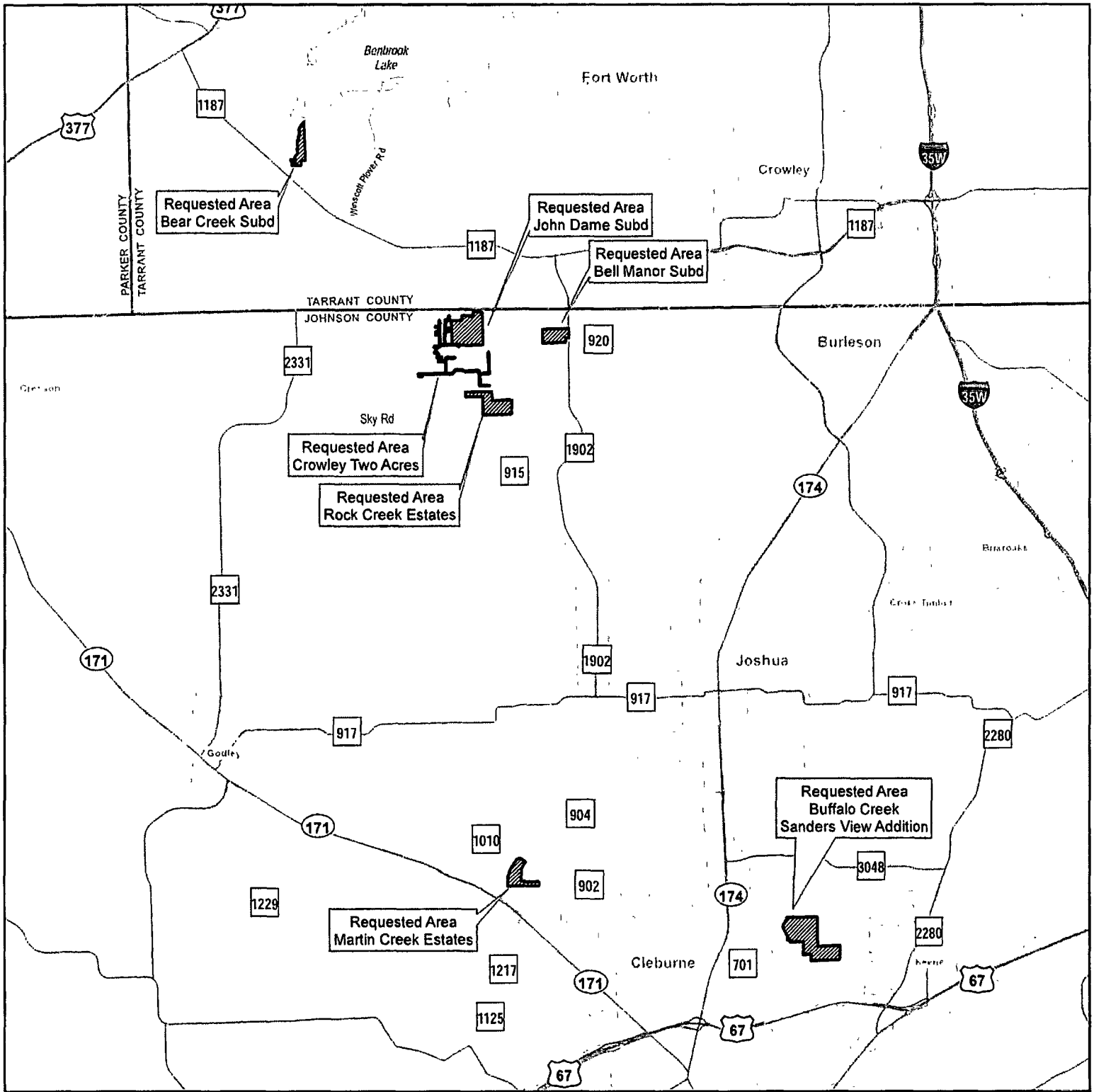
ENVELOPE # 1 OF 1

ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:

DATE SUBMITTED TO COMMISSION: August 31, 2018

EXHIBIT C

MAPS



General Location

Undine Texas, LLC

Application to Transfer Chuck Bell Water Systems, CCN No. 12190 to Undine Texas, LLC, CCN No. 13260;
 to Amend and Decertify Portions of CCN No. 12190 to be Transferred;
 and to Request Dual Certification with Portions of Johnson County SUD, CCN No. 10081,
 City of Cleburne, CCN No. 10917, and Monarch Utilities I LP, CCN No. 12983
 in Johnson and Tarrant Counties

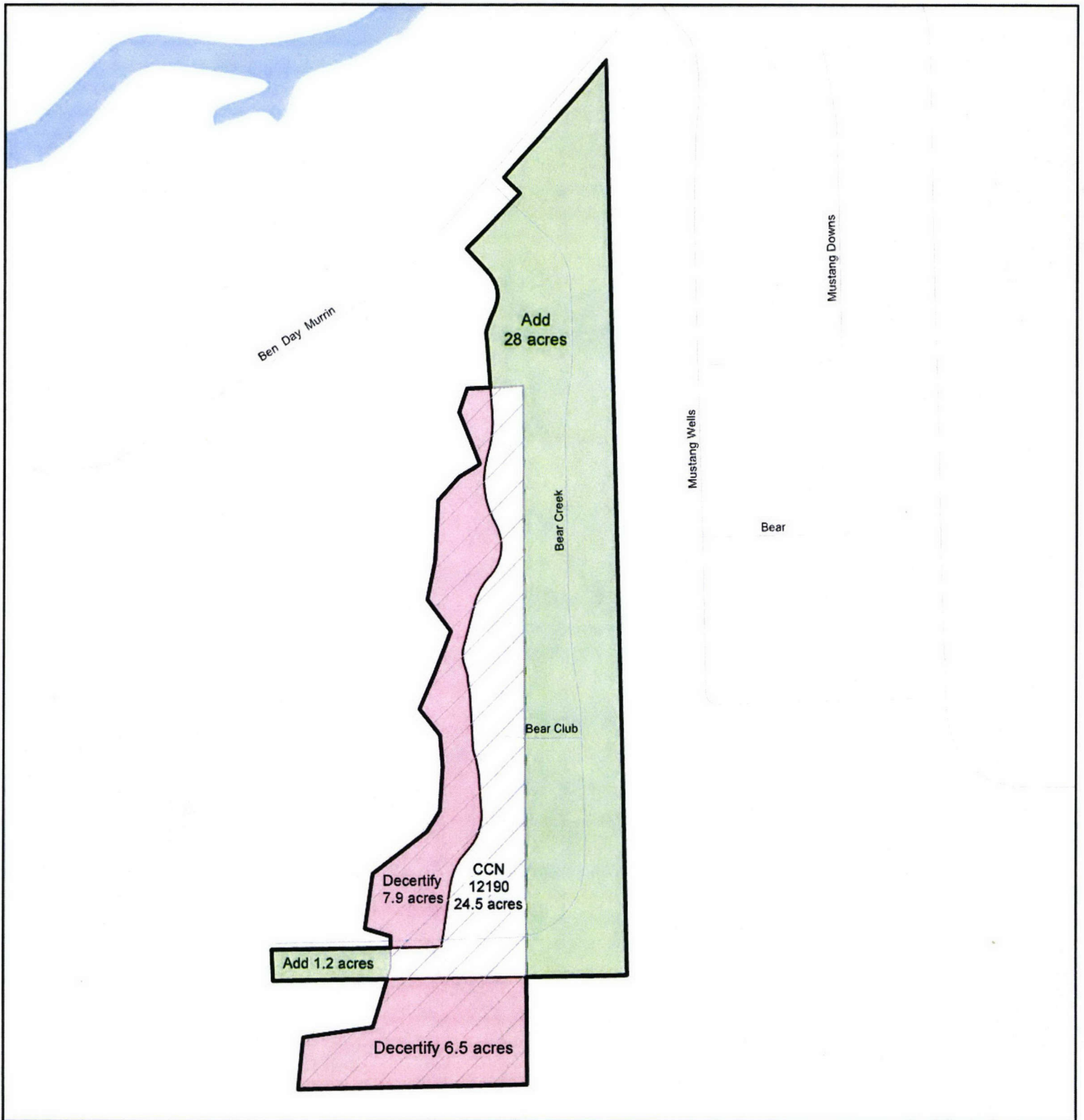
Cities
 County Boundaries

**Requested Water CCN Areas to Transfer
 Includes Areas to Amend and Decertify**

Requested Areas
 Requested Areas

0 1.25 2.5 Miles









Bear Creek Subdivision Large Scale Map - Tarrant County

Undine Texas, LLC

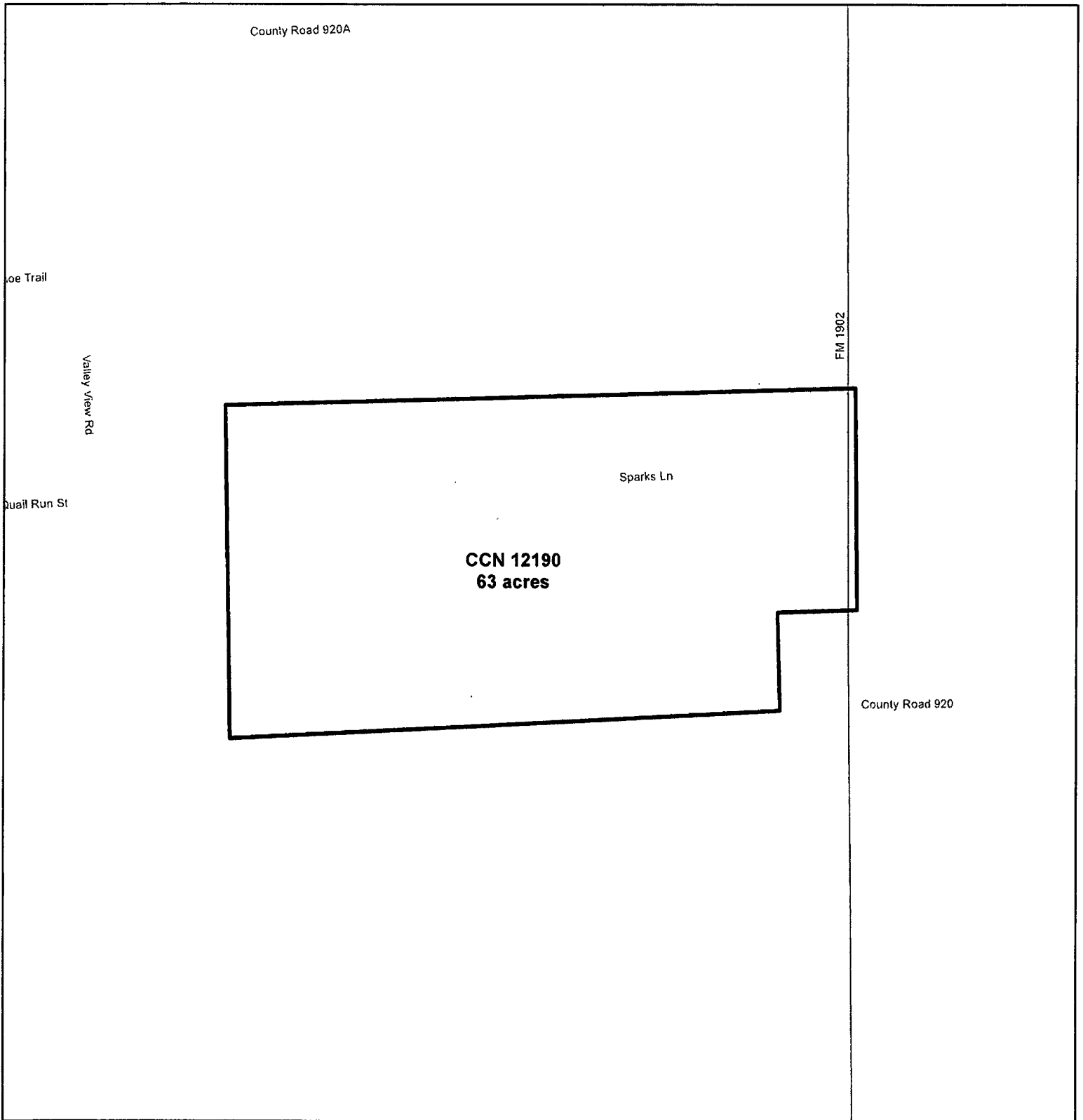
Application to Transfer Chuck Bell Water Systems, CCN No. 12190 to Undine Texas, LLC, CCN No. 13260 and to Amend and Decertify Portions of CCN No. 12190 to be Transferred

Requested Water CCN Areas

-  Requested Area
-  CCN 12190 - Chuck Bell Water Systems
-  Amend / Add Areas
-  Decertify Areas from CCN 12190

0 250 500 Feet





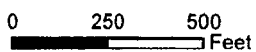


Bell Manor Subdivision Large Scale Map - Johnson County

Undine Texas, LLC
 Application to Transfer Chuck Bell Water Systems, CCN No. 12190 to Undine Texas, LLC, CCN No. 13260

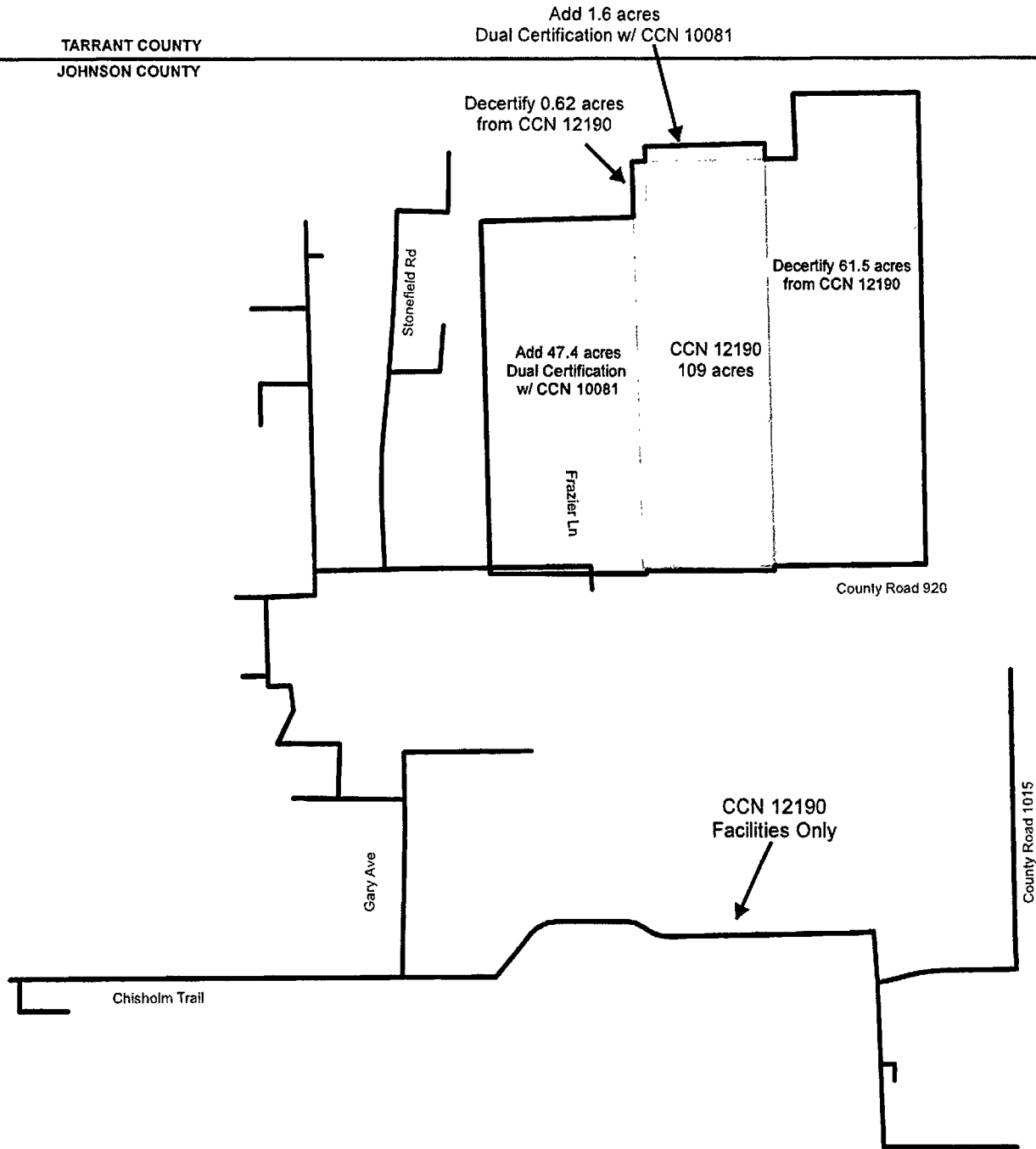
Requested Water CCN Area

-  Requested Area
-  CCN 12190 - Chuck Bell Water Systems



Map by: S. Burt, ASBGI
 Date: May 22, 2018
 Base: TxDOT Roadways 2015
 Project: Bell Manor Large Scale

TARRANT COUNTY
JOHNSON COUNTY








Crowley Two Acres and John Dame Subdivisions Large Scale Map - Johnson County

Undine Texas, LLC

Application to Transfer Chuck Bell Water Systems, CCN No. 12190 to Undine Texas, LLC, CCN No. 13260;
to Amend and Decertify Portions of Water CCN No.12190 to be Transferred;
and to Request Dual Certification with Portions of Johnson County SUD, CCN No. 10081

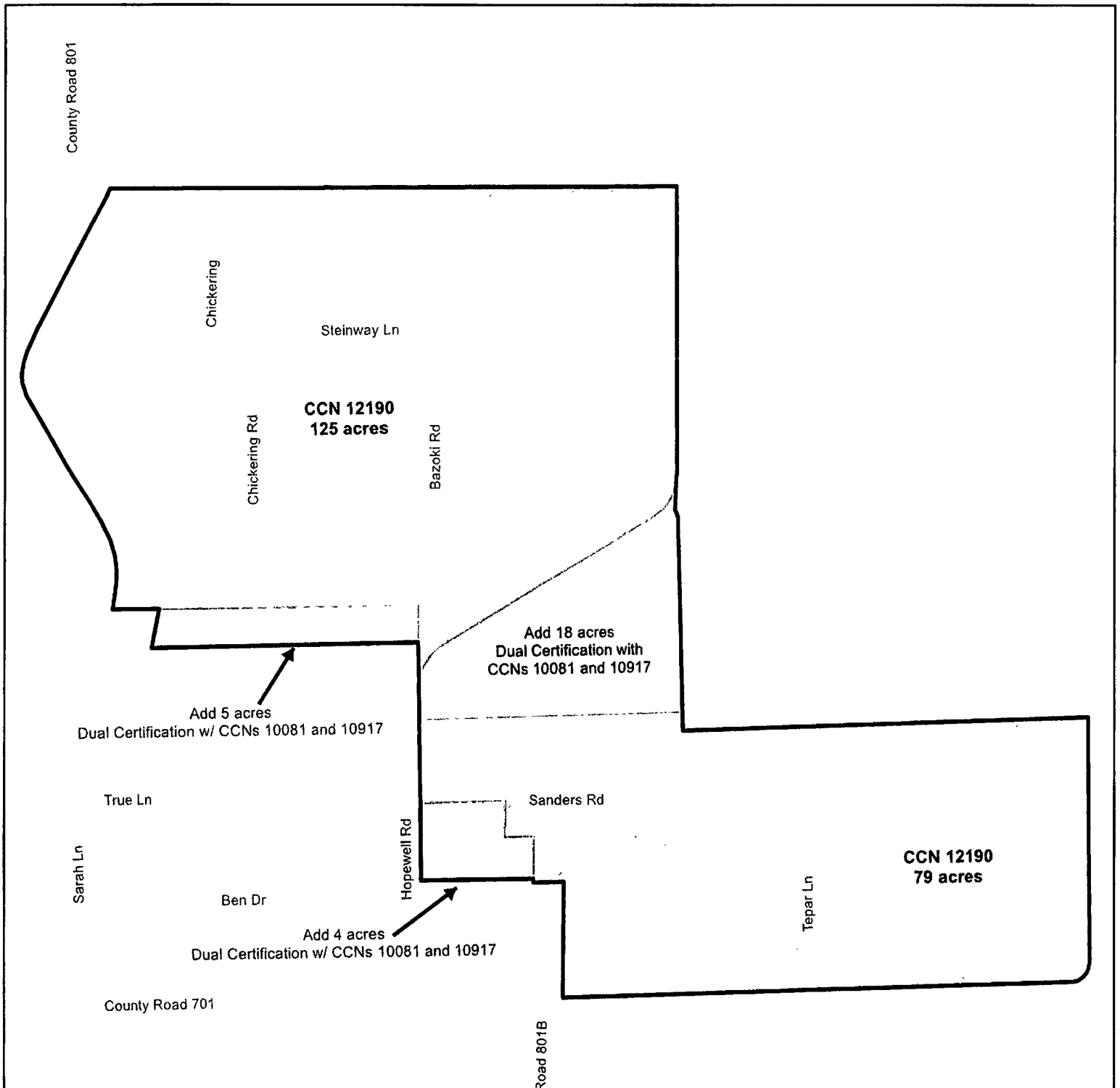
Requested Water CCN Areas

-  Requested Area
-  Requested Area - CCN 12190 - Facilities Only
-  CCN 12190 - Chuck Bell Water Systems
-  Amend / Add Areas
-  Decertify Areas from CCN 12190

0 500 1,000
Feet






Map by: S. Burl, ASBGI
Date: May 22, 2017
Base: TxDOT Roadways 2015

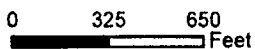


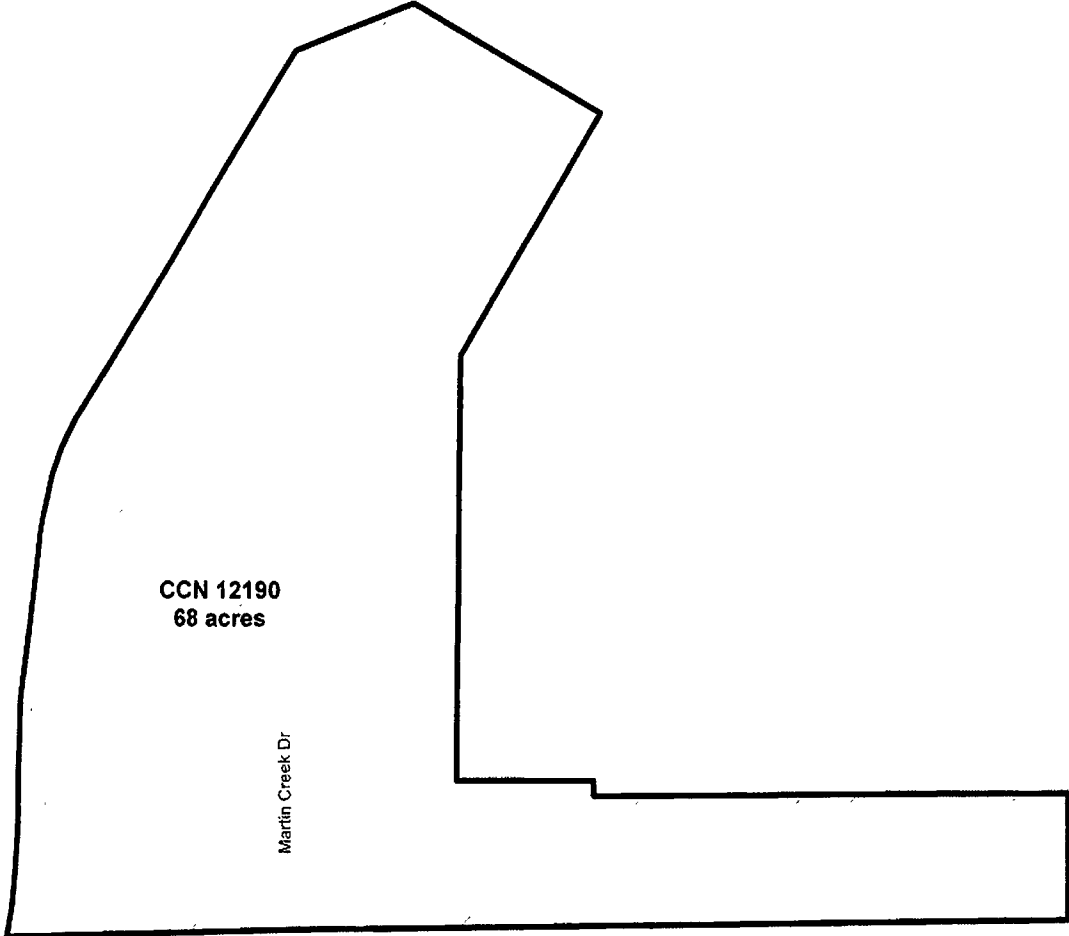
Buffalo Creek and Sanders View Addition Large Scale Map - Johnson County

Undine Texas, LLC
 Application to Transfer Chuck Bell Water Systems, CCN No. 12190 to Undine Texas, LLC, CCN No. 133260;
 to Amend Water CCN No. 12190 to be Transferred;
 and to Request Dual Certification with Portions of Johnson County SUD, CCN No. 10081
 and City of Cleburne, CCN No. 10917

Requested Water CCN Areas

-  Requested Area
-  CCN 12190 - Chuck Bell Water Systems
-  Amend / Add Areas





CCN 12190
68 acres

Martin Creek Dr



County Road 1018

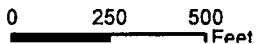
County Ro

Martin Creek Estates Large Scale Map - Johnson County

Undine Texas, LLC
Application to Transfer Chuck Bell Water Systems, CCN No. 12190 to Undine Texas, LLC, CCn No. 13260

Requested Water CCN Areas

-  Requested Area
-  CCN 12190 - Chuck Bell Water Systems



County Road 1015

Rock Creek Rd

Sunrise Dr

CCN 12190
89 acres

Overview Dr

Lavender Rd

Add 8.6 acres
Dual Certification w/ CCN 12983

Add 3.8 acres
Dual Certification w/ CCN 10081




County Road 915A

Rock Creek Estates Large Scale Map - Johnson County

Undine Texas, LLC

Application to Transfer Chuck Bell Water Systems, CCN No. 12190 to Undine Texas, LLC, CCN No. 13260;
to Amend Portions of Water CCN No. 12190 to be Transferred;
and to Request Dual Certification with Portion of Johnson County SUD, CCN No. 10081
and Monarch Utilities I LP, CCN No. 12983

Requested Water CCN Areas

-  Requested Area
-  CCN 12190 - Chuck Bell Water Systems
-  Amend / Add Areas

0 300 600 Feet



Map by: S. Burt, ASBG
Date: May 22, 2018
Base: TxDOT Roadways 2015
Printed: Rock Creek Large Scale