

Control Number: 49169



Item Number: 12

Addendum StartPage: 0

**DOCKET NO. 49169**

2019 MAR 14 PM 3:57  
**PUBLIC UTILITY COMMISSION**  
REGISTRATION DIVISION  
FILED CLERK  
**OF TEXAS**

**APPLICATION OF UNDINE TEXAS, §  
LLC AND UNDINE TEXAS §  
ENVIRONMENTAL, LLC FOR SALE, §  
TRANSFER, OR MERGER OF §  
FACILITIES AND CERTIFICATE §  
RIGHTS IN BRAZORIA COUNTY §**

**APPLICANTS' RESPONSE TO**  
**ORDER NO. 2**

COME NOW, Applicants, Undine Texas, LLC and Undine Texas Environmental, LLC ("Undine") and file this Response to Order No. 2. Order No. 2 establishes a deadline of April 5, 2019 to provide the information contained herein. Accordingly, this response is timely filed.

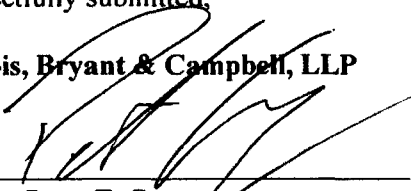
Attached as Exhibit A is the notice to affected parties and an affidavit of delivery and notice. Attached as Exhibit A-1 (submitted confidentially) is a list of recipients.

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

Respectfully submitted,

**DuBois, Bryant & Campbell, LLP**

By: \_\_\_\_\_

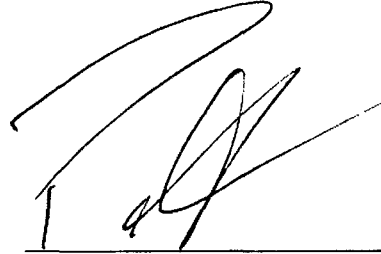
  
Peter T. Gregg  
State Bar No. 00784174  
303 Colorado, Suite 2300  
Austin, Texas 78701  
[pgregg@dbcllp.com](mailto:pgregg@dbcllp.com)  
(512) 457-8000  
(512) 457-8008 (fax)

**Attorneys for Undine Texas, LLC and  
Undine Texas Environmental, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true<sup>st</sup> and correct copy of the foregoing document was served on the persons as indicated below on this the 14 day of March, 2019:

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](mailto:Alexander.Petak@puc.texas.gov)  
**First Class Mail**



---

Peter T. Gregg

**EXHIBIT A-1**

**NOTICE TO AFFECTED PARTIES AND AN AFFIDAVIT**

**Notice to Current Customers, Neighboring Systems, and Cities**  
UNDINE TEXAS ENVIRONMENTAL, LLC, CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) NO. 20816, NOTICE OF INTENT TO PURCHASE SEWER FACILITIES  
AND TO CANCEL UNDINE TEXAS, LLC'S CCN NO. 21106 IN BRAZORIA, TEXAS

To: Current Customers, Neighboring Utilities, and Affected Parties Notice Mailed: March 13, 2019

Undine Texas Environmental, LLC                      17681 Telge Rd,                      Houston, TX                      77429  
(Purchaser's Name)    (Address)    (City), (State)    (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase sewer facilities and to transfer sewer certificated service area under CCN No. 21106, in Brazoria County, TX from:

Undine Texas, LLC    17681 Telge Rd,    Houston, TX    77429  
(Seller's Name)    (Address)    (City), (State)    (Zip Code)

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions: Angle Acres and Beechwood Subdivisions

The requested area subject to this transaction is located approximately 2 miles east of downtown Angleton, TX, and is generally bounded on the north by E. Kiber Street; on the east by FM 523; on the south by Fort Road (CR 233); and on the west by Jamison Road (CR 428). The requested area includes approximately 25 total acres and 45 current customers.

The requested area subject to this transaction is located approximately 3.5 miles north of downtown Angleton, TX, and is generally bounded on the north by FM 45; on the east by SH 288 Business; on the south by CR 229; and on the west by FM 521. The requested area includes approximately 180 total acres and 133 current customers

A copy of the map showing the affected area is available at: 17681 Telge Rd, Houston, TX 77429

This transaction will have the following effect on the current customers' rates and services:  
All of the customers will be charged the same rates they were charged before the transaction.

*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 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 Environmental, LLC  
Utility Name

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES DOCKET NO. 49169

STATE OF TEXAS COUNTY OF Harris

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

has provided individual notice

Current Customers, Neighboring Utilities, and Affected Parties

DATE OF NOTICE March 13, 2019

OATH

I, Carey A. Thomas, Senior Vice President and Secretary, being duly sworn, file this form as (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

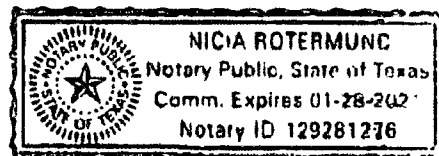
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 13 day of March, 2019 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 1-28-2024



**EXHIBIT A-2**

**LIST OF RECIPIENTS**

**CONFIDENTIAL**

# **CONFIDENTIAL**

**DOCKET NO.:** 49169

**STYLE:** Application of Undine Texas, LLC and Undine Texas Environmental, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Brazoria County

**SUBMITTING PARTY:** Undine Texas, LLC

**BRIEF DESCRIPTION OF CONTENTS:** A-2 – List of Recipients

**BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE:** 7 TO 10

**ENVELOPE #:** 1 OF 1

**ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:**

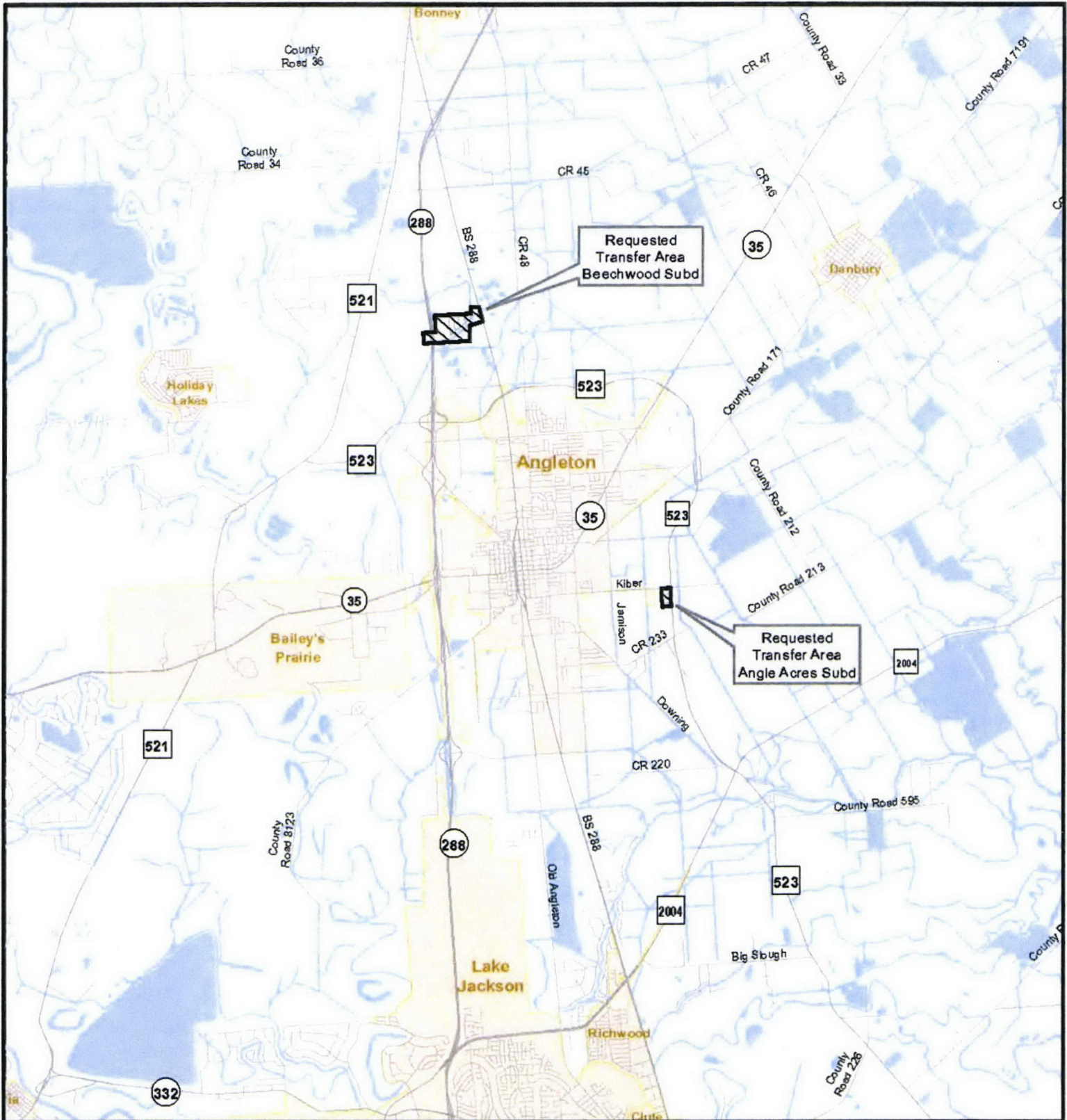
---

**DATE SUBMITTED TO COMMISSION:** March 14, 2019



**EXHIBIT B**


**MAPS**

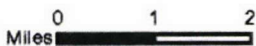


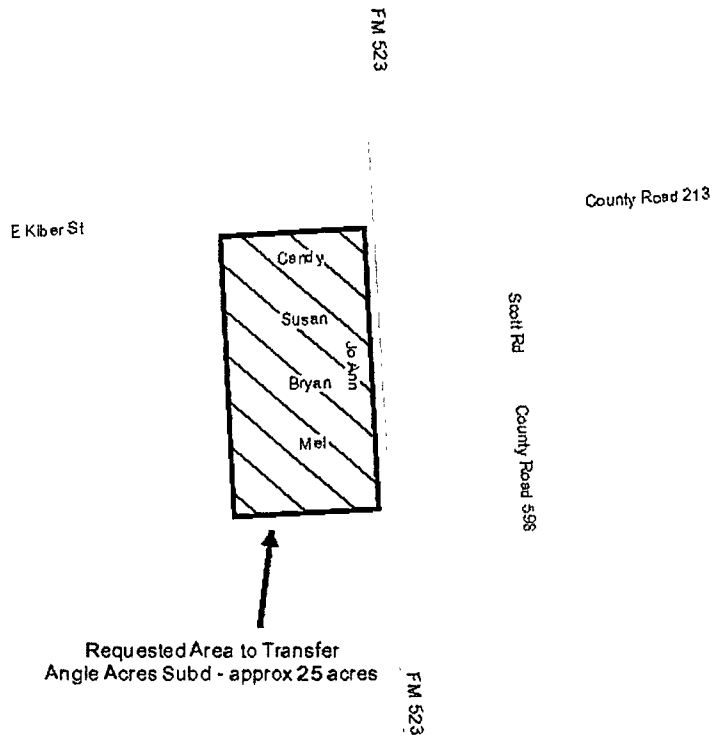
**General Location**

Undine Texas Environmental, LLC  
 Application to Transfer Undine Texas, LLC, CCN No. 21106  
 in Brazoria County

**Requested Sewer CCN Service Areas to Transfer**

 CCN 21106 - Undine Texas, LLC




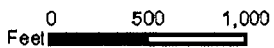


**Angle Acres Subdivision Detail Map**

Undine Texas Environmental, LLC  
 Application to Transfer Undine Texas, LLC, CCN No. 21106  
 in Brazoria County

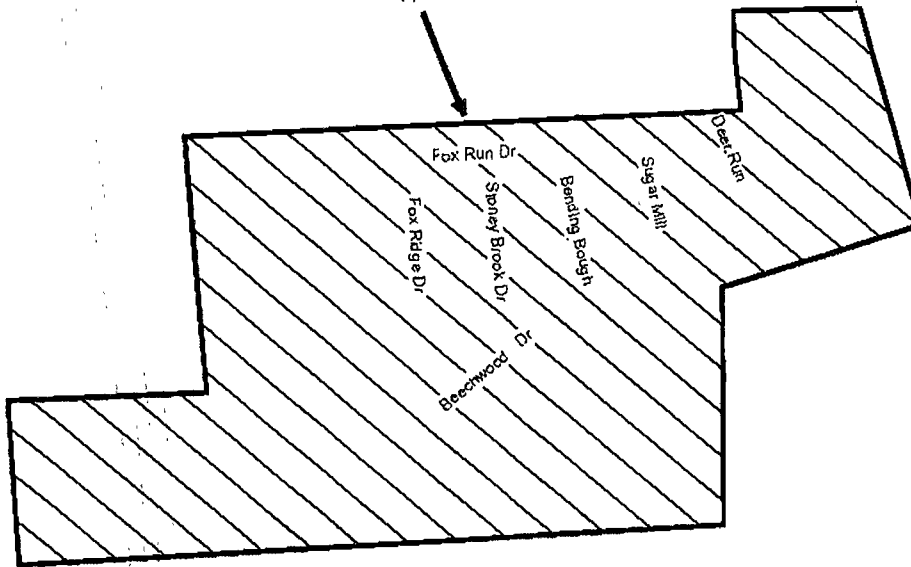
**Requested Sewer CCN Service Area to Transfer**

 CCN 21106 - Undine Texas, LLC



288

Requested Area to Transfer  
Beechwood Subd - approx 180 acres




BS 298

288

### Beechwood Subdivision Detail Map

Undine Texas Environmental, LLC  
Application to Transfer Undine Texas, LLC, CCN No. 21106  
in Brazoria County

**Requested Sewer CCN Service Area to Transfer**

 CCN 21106 - Undine Texas, LLC



0 500 1,000  
Feet