

Control Number: 49169



Item Number: 16

Addendum StartPage: 0

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

March 25, 2019 11:22
PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S RECOMMENDATION ON NOTICE

COMES NOW the staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Notice in response to Order No. 2. Staff recommends that the notice be found sufficient. In support thereof, Staff shows the following:

I. BACKGROUND

On February 4, 2019, Undine Texas Environmental, LLC (UTE) and Undine Texas, LLC (UT) (Collectively, Applicants) filed an application for Sale, Transfer, or Merger of Facilities and Certificate Rights in Brazoria County, Texas. Specifically, the applicants seek to transfer all of UT's facilities and service area under sewer Certificate of Convenience and Necessity Number 21106 to UTE. The requested transfer includes approximately 205 acres and 178 current customers. Applicants filed supplemental information on February 19, 2019 and March 12, 2019.

On March 11, 2019, Order No. 2 was issued, establishing a deadline of 10 days after Applicants' filing proof of notice for Commission Staff to file a recommendation on notice. On March 14, 2019, proof of notice was filed with the Commission, making March 25, 2019 the deadline for Staff to file a recommendation on the sufficiency of notice. This pleading is therefore timely filed.

II. RECOMMENDATION ON NOTICE

Staff has reviewed the affidavit of notice filed by UTE on March 14, 2019 and recommends it be found sufficient. Notice was mailed on March 13, 2019.

16

III. PROCEDURAL SCHEDULE

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

Event	Date
Notice completed	March 13, 2019
Deadline for intervention	April 12, 2019 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale and on the CCN amendment	May 13, 2019
Deadline for parties to file a response to Staff's recommendation	May 28, 2019
120 day deadline for the Commission to approve the sale or require a hearing	July 11, 2019 ²

IV. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendation.

¹ Pursuant to 16 Texas Administrative Code (TAC) § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed on March 13, 2019. Therefore, 30 days later is April 12, 2019.

² Pursuant to 16 TAC § 24.239 (a) and (j), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after March 13, 2019 is July 11, 2019.

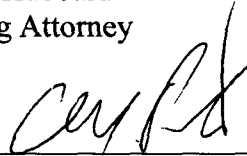
Dated: March 25, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 25, 2019, in accordance with 16 TAC § 22.74.



Alexander Petak