

Control Number: 49169



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<b>APPLICATION OF UNDINE TEXAS, LLC AND UNDINE TEXAS ENVIRONMENTAL, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE OF CONVENIENCE AND NECESSITY RIGHTS IN BRAZORIA COUNTY</b>	§ § § § § § §	<b>PUBLIC UTILITY COMMISSION OF TEXAS</b>
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**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF CLOSING DOCUMENTS AND PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this recommendation. Staff recommends that the closing documents be found sufficient. In support thereof, Staff would show the following:

**I. BACKGROUND**

On February 4, 2019, Undine Texas, LLC (UT) and Undine Texas Environmental, LLC (UTE) 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 119 current customers.

On March 11, 2019, Order No. 2 found the application administratively complete.

On July 25, 2019, Order No. 6 approved the sale and transfer to proceed. Order No. 6 also required Staff to file a recommendation regarding the sufficiency of closing documents within 15 days following the filing of applicants' proof that the transaction has been consummated. On October 8, 2019, the parties filed proof of the transaction. Therefore, this pleading is timely filed.

**II. SUFFICIENCY OF THE TRANSACTION DOCUMENTS**

Staff has reviewed the closing documents filed by Applicants on October 8, 2019. Based on its review, Staff has determined that the filing meets the requirements of 16 Tex. Admin. Code (TAC) §§ 24.239(k)-(n). Therefore, Staff recommends a finding that the customer deposits have been appropriately addressed and that the closing documents be found sufficient.

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### III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent	November 8, 2019
Deadline for Applicants to file signed consent forms with the Commission	November 22, 2019
Deadline for parties to jointly file a proposed Notice of Approval, including proposed findings of fact, conclusions of law and ordering paragraphs	December 5, 2019

### IV. CONCLUSION

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

Dated: October 18, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney

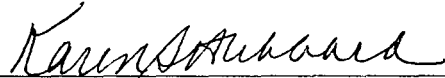


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**DOCKET NO. 49169**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 18<sup>th</sup> day of October 2019, in accordance with 16 TAC § 22.74.

  
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Karen S. Hubbard