



Control Number: 49260



Item Number: 27

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DOCKET NO. 49260

RECEIVED

APPLICATION OF TEXAS WATER §
SYSTEMS, INC. AND UNDINE TEXAS, §
LLC FOR SALE, TRANSFER, OR §
MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN GREGG, §
HENDERSON, LIMESTONE, SMITH §
AND UPSHUR COUNTIES §

PUBLIC UTILITY COMMISSION

OF TEXAS

2019 JUL 12 PM 3:13

PUBLIC UTILITY COMMISSION
FILING CLERK

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

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Undine Texas, LLC's ("Undine") files this Response to Order No. 3. In support, Undine states the following:

I. BACKGROUND

On February 25, 2019 Undine and Texas Water Systems, Inc. (collectively, "Applicants") filed an application for Sale, Transfer, or Merger of facilities and certificate rights in Gregg, Henderson, Limestone, Smith and Upshur Counties, Texas.

On April 10, 2019, Commission Staff filed its Recommendation on Administrative Completeness and Proposed Procedural Schedule. On April 11, 2019, the Administrative Law Judge issued Order No. 3 finding the Application incomplete and deficient for the reasons specified in the memorandum of Debbie Reyes, a Program Specialist in the Commission Water Utilities Regulation Division. Order No. 5 was issued on June 13, 2019 granting Undine's request for extension. Undine was given until July 12, 2019 to cure the identified deficiencies in the application. Accordingly, this response is timely filed.

II. SUPPLEMENTAL APPLICATION INFORMATION

Undine hereby files the following information in response to Order No. 3:

MAPPING INFORMATION:

Commission Staff Request:

Staff's review indicates that portions of the requested areas shown on the hard copy maps and digital data lack a single, continuous polygon record and therefore need to be revised to include bounded service areas, rather than facility lines plus two hundred feet, where appropriate. In addition, Staff recommends the requested areas being transferred and amended in this docket should follow along property lines and/or verifiable man-made and natural landmarks, such as roads, streets, and rivers.

The Applicant must submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the requested areas to be transferred and amended, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested areas to be transferred and amended, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested areas, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).
- Include the approximate total acreage for the revised requested areas.

Response:

See attached CD.

APPLICATION INFORMATION:

Commission Staff Request:

Staff recommends that the Applicants provide an explanation and provide supporting documentation on sources of the additional cash listed as *Other* in confidential *Attachment G*, page 87 for the next five years. Note that this information is not required for sufficiency of the application, but will be needed before Staff will be able to make a final recommendation on the application.

Response:

“Other” is cash from the parent (equity). The equity line on the balance sheet is increasing by the amounts in the cash flow as seen below in the projected balance sheet, attached as Exhibit 1, (submitted confidentially).

Respectfully submitted,

DuBois, Bryant & Campbell, LLP

By: 

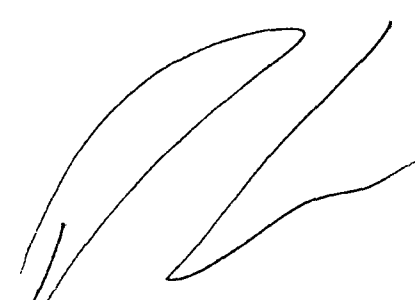
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Attorneys for Undine Texas, LLC

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document was served on the persons as indicated below on this the 18 day of July, 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



Peter T. Gregg

EXHIBIT 1

CONFIDENTIAL

CONFIDENTIAL

DOCKET NO.: 49260

STYLE: Application of Texas Water Systems, Inc. and Undine Texas, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Gregg, Henderson, Limestone, Smith and Upshur Counties

SUBMITTING PARTY: Undine Texas, LLC

BRIEF DESCRIPTION OF CONTENTS: Exhibit 1

BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE: 6 to 6

ENVELOPE #: 1 OF 1

ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:

DATE SUBMITTED TO COMMISSION: July 12, 2019

CD ATTACHED

TO VIEW PLEASE CONTACT
CENTRAL RECORDS
512-936-7180