



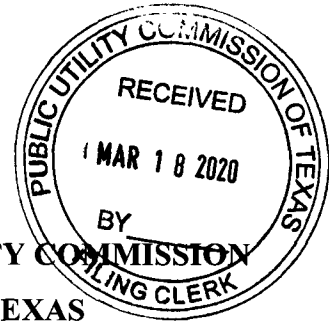
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**DOCKET NO. 49260**



**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**

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY  
OF NOTICE**

**COMES NOW** the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this response to Order No. 9, Staff's Recommendation on Sufficiency of Notice. Staff recommends that notice be deemed sufficient. In support thereof, Staff shows the following:

**I. BACKGROUND**

On February 25, 2019, Undine Texas, LLC (Undine) and Texas Water Systems, Inc. (TWS) (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 March 11, 2019, Applicants filed an amended application. Specifically, Undine seeks approval to acquire facilities and to transfer a portion of water service area currently owned by TWS under Certificate of Convenience and Necessity (CCN) No. 12473. The requested transfer includes approximately 6,478 acres and 997 current customers.

On February 5, 2020, the Commission Administrative Law Judge (ALJ) issued Order No. 9, requiring Staff to file a recommendation regarding the Applicants' sufficiency of notice. Therefore, this pleading is timely filed.

**II. RECOMMENDATION ON NOTICE**

Staff has reviewed the proof of notice and found it to be sufficient. On February 26, 2020, Undine filed a Response to Order No. 9. This filing contained an affidavit of notice in which Carey A. Thomas, Senior Vice President of Undine attested that current customers, neighboring utilities, and affected parties related to Docket No. 49260 were provided notice on February 10, 2020. The

filing also contained the notice provided to the affected parties and a list of recipients. Therefore, Staff recommends that notice be found sufficient.

### **III. CONCLUSION**

For the reasons discussed above, Staff respectfully requests that notice be found sufficient.

**Dated: March 18, 2020**

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

/s/ John Harrison  
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### **CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record March 18, 2020, in accordance with 16 TAC § 22.74. I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on March 18, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ John Harrison  
John Harrison