



Control Number: 49260



Item Number: 56

Addendum StartPage: 0



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, SMITH, UPSHUR, AND
VAN ZANDT COUNTIES, TO AMEND
THEIR WATER CERTIFICATES OF
CONVENIENCE AND NECESSITY,
AND FOR DUAL CERTIFICATION
WITH CRYSTAL SYSTEMS TEXAS,
INC. AND PRITCHETT WATER
SUPPLY CORPORATION**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S CLARIFICATION IN RESPONSE TO ORDER NO. 12

COMES NOW the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Clarification in Response to Order No. 12. 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, Smith, Upshur, and Van Zandt 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 served by TWS under Certificate of Convenience and Necessity (CCN) No. 12473. The requested transfer includes approximately 5,638 acres and 811 current customers. In addition, Undine is requesting a CCN amendment for uncertificated area that includes 5,076 acres and 186 current customers and dual certification of 8 acres with Pritchett Water Supply Corporation and 21 acres with Crystal System.

On June 18, 2020, the Administrative Law Judge (ALJ) issued Order No. 12, establishing a deadline of July 1, 2020 for Staff to clarify a number of issues. Therefore, this pleading is timely filed.

II. CLARIFICATION

In Order No. 12, the ALJ sought clarification on the following issues: “Commission Staff must clarify whether service currently provided from the Brookshires Camp Joy and Rosewood water systems is adequate and provide their corresponding Texas Commission on Environmental Quality identifying information. Commission Staff must also clarify whether service is being provided to the Harmony area from the Rosewood water system.”

The Brookshires Camp Joy water system is being transferred from TWS to Undine. The corresponding Texas Commission on Environmental Quality identifying information for the Brookshires Camp Joy and Rosewood water systems are: PWS ID 2300015 for Brookshires Camp Joy water system, and PWS ID 2300026 for the Rosewood Water System. Services provided by these systems are adequate. Neither of the systems have any major violations, and both systems are in compliance.

There is no Harmony water system to be transferred. The seller does not hold Harmony water system. The Rosewood water system is serving the Harmony area.

III. CONCLUSION

Staff respectfully requests the foregoing information be taken into consideration for the further processing of this docket.

Dated: July 1, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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DOCKET NO. 49260

CERTIFICATE OF SERVICE

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 July 1, 2020 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ John Harrison
John Harrison