



Control Number: 49379



Item Number: 22

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DOCKET NO. 49379

APPLICATION OF NERRO SUPPLY §
INVESTORS, LLC AND UNDINE §
TEXAS, LLC FOR SALE, TRANSFER, §
OR MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN HARRIS §
AND MONTGOMERY COUNTIES §

PUBLIC UTILITY COMMISSION
OF TEXAS

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UNDINE TEXAS, LLC'S RESPONSE TO ORDER NO. 4

COMES NOW, Applicant, Undine Texas, LLC ("Undine") and files this Response to Order No. 4. Order No. 4 establishes a deadline of August 19, 2019 to provide the information contained herein. Accordingly, this response is timely filed.

Attached as Exhibit A is the notice to affected parties and an affidavit of delivery and notice.

Attached as Exhibit B (submitted confidentially) is the list of recipients.

Attached as Exhibit C are the maps associated with Undine's application.

Pursuant to Undine's Request for Waiver (Docket No. 49379-21) requesting that the requirement that notice of this application be provided in a newspaper of general circulation be waived, filed on June 19, 2019, we have not provided published notice and hereby renew that request.

Respectfully submitted,

DuBois, Bryant & Campbell, LLP

By: _____


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(512) 457-8008 (fax)

Attorneys for Undine Texas, LLC

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CERTIFICATE OF SERVICE

I certify by my signature above that a ~~true and~~ correct copy of the foregoing document was served on the persons as indicated below on this the 9 day of August, 2019:

Rustin Tawater
Public Utility Commission of Texas
Legal Division
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326
Rustin.tawater@puc.texas.gov

EXHIBIT A

NOTICE TO CUSTOMERS AND LANDOWNERS

Notice to Current Customers, Neighboring Systems, and Cities

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO PURCHASE A PORTION OF NERRO SUPPLY INVESTORS, LLC'S WATER FACILITIES AND TO TRANSFER A PORTION OF ITS WATER CCN NO. 10336 IN HARRIS AND MONTGOMERY COUNTIES, TEXAS

To: Current Customers, Neighboring Systems, and Cities Date Notice Mailed: July 26, 2019

| | | | |
|--------------------|------------------|-----------------|------------|
| Undine Texas, LLC | 17681 Telge Road | Cypress, TX | 77429 |
| (Purchaser's Name) | (Address) | (City), (State) | (Zip Code) |

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase a portion of Nerro Supply Investors, LLC's water facilities and to transfer a portion of the water CCN No. 10336 in Harris and Montgomery Counties, TX from:

| | | | |
|-----------------------------|----------------|-----------------|------------|
| Nerro Supply Investors, LLC | P.O.BOX 691008 | Houston, TX | 77269 |
| (Seller's Name) | (Address) | (City), (State) | (Zip Code) |

The sale is scheduled to take place as approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivision:

Hazy Hollow East Estates, Spring Creek Valley Estates, and Shady Brook Acres.

The requested areas subject to this transaction are located approximately:

Hazy Hollow East Estates

2.5 miles east/southeast of downtown Magnolia, Texas, and is generally bounded on the north by Little Thorn Lane and 260 feet north of Green Tree Road; on the east by Little Thorn Lane and Mildred Lane; on the south by Magnolia Boulevard/FM1774; and on the west by North Cripple Creek Drive. The total requested area for the water or sewer CCN(s) being transferred includes approximately 667 acres and 742 current customers.

Shady Brooks Acres

1.5 miles south of downtown Magnolia, TX, and is generally bounded on the north by Old Hockley Road; on the east by Nichols Sawmill Road; on the south by Country Place Road and Mink Branch; and on the west by Mink Branch. The requested area to be transferred includes approximately 95 total acres and 57 current customers.

Spring Creek Valley Estates

1.8 miles northwest of downtown Tomball, TX, and is generally bounded on the north by Spring Creek; on the east by Parkplace Drive; on the south by Brown Road; and on the west by Spring Creek Park. The requested area to be transferred includes approximately 154 total acres and 189 current customers.

A copy of the map showing the requested area is available at: 17681 Telge Road, Cypress, Texas 77249

This transaction will not have an effect on the current customer's rates and services.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is 30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer. You must send a letter requesting intervention to the commission which is received by that date.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

Utility Representative

Utility Name

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES DOCKET NO. 49379

STATE OF TEXAS
COUNTY OF Harris

Undine Texas, LLC has provided individual notice to the following
entities and customers:

Current Customers, Neighboring
Utilities, and Affected Parties
Related to Docket No. 49379

DATE OF NOTICE
July 26, 2019

OATH

I, Carey A. Thomas, being duly sworn, file this form as
Senior Vice President (indicate relationship to applicant, that is, owner,
member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Carey A. Thomas
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 6th day of August, 2019,
to certify which witness my hand and seal of office.

Nicia Rotermund
Notary Public in and for the State of Texas

Nicia Rotermund
Print or Type Name of Notary Public

Commission Expires 1-28-21

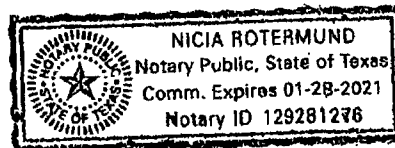


EXHIBIT B
LIST OF RECIPIENTS
(Confidential)

CONFIDENTIAL

DOCKET NO.: 49379

STYLE: Application of Nerro Supply, LLC and Undine Texas, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Harris and Montgomery Counties

SUBMITTING PARTY: Undine Texas, LLC

BRIEF DESCRIPTION OF CONTENTS: Attachment B – List of Recipients

BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE: 8 to 24

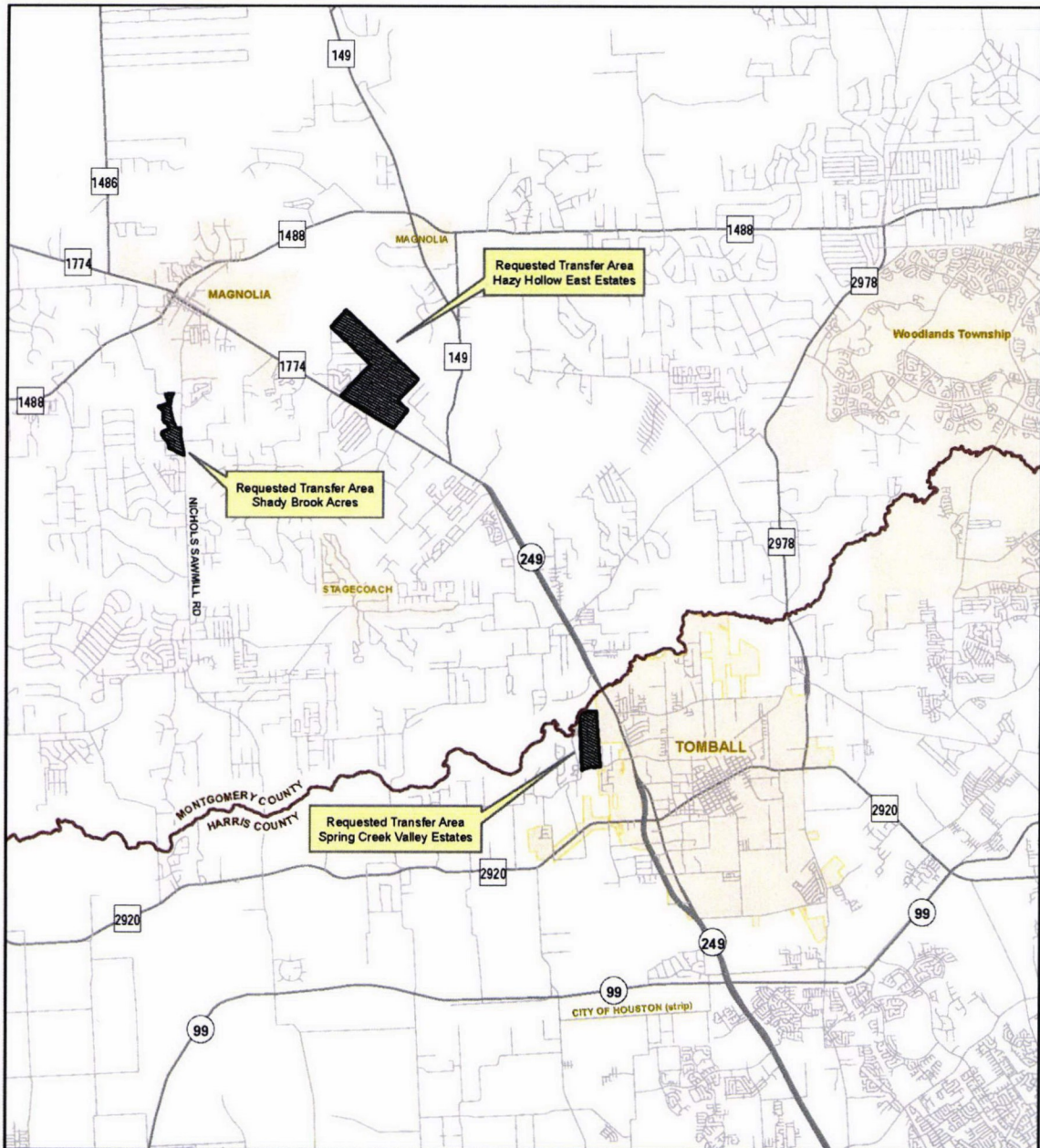
ENVELOPE #: 1 OF 1

ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:

DATE SUBMITTED TO COMMISSION: August 8, 2019

EXHIBIT C

MAPS



General Location

Undine Texas, LLC
 Application to Transfer a Portion of Nerro Supply Investors, LLC, CCN No. 10336 to Undine Texas, LLC, CCN No. 13260
 in Harris and Montgomery Counties



0 1 2 Miles

Requested Water Service Area to Transfer

CCN 10336 - Nerro Supply Investors, LLC

Map by: S. Burt, ASBG
 Date: March 6, 2019
 Base: TxDOT Roadways 2015
 Project: General Location_10336

