

Control Number: 49380



Item Number: 23

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DOCKET NO. 49380

APPLICATION OF NERRO SUPPLY, §
LLC AND UNDINE TEXAS, LLC FOR §
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN BRAZOS, BURLESON, §
CHAMBERS, MONTGOMERY, §
ROBERTSON, AND WALKER §
COUNTIES AND TO DECERTIFY A §
PORTION OF NERRO SUPPLY, LLC'S §
CERTIFICATED AREA IN BURLESON §
COUNTY §

2019 JUN 18
PUBLIC UTILITY COMMISSION
OF TEXAS

UNDINE TEXAS, LLC'S SUPPLEMENTAL RESPONSE TO ORDER NO. 2

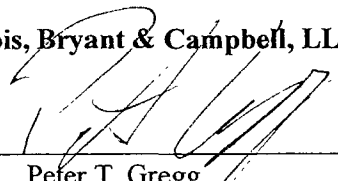
COMES NOW, Applicant, Undine Texas, LLC ("Undine") and files this Supplemental Response to Order No. 2.

Attached as Exhibit A is the Publisher's Affidavit confirming publication in *The Courier* on May 21, 2019 and May 28, 2019 in Montgomery County, Texas. The tear sheets were previously filed on June 10, 2019 as Exhibit A-3 to Undine Texas, LLC's Response to Order No. 2 (see Item #20).

Respectfully submitted,

DuBois, Bryant & Campbell, LLP

By: _____


Peter T. Gregg
State Bar No. 00784174
303 Colorado, Suite 2300
Austin, Texas 78701
pgregg@dbcllp.com
(512) 457-8000
(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 19th day of June, 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

PUBLISHER'S AFFIDAVIT
MONTGOMERY COUNTY



AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

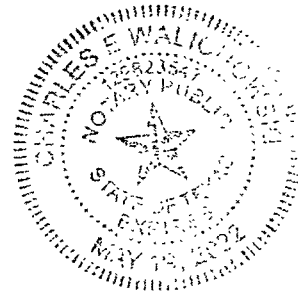
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

UNDINE TEXAS ENVIRONMENTAL, 0000194899 HC036819226
RAN A LEGAL NOTICE
SIZE BEING: 3 x153 L

Product	Date	Class	Page
CNCC-The Courier	May 21 2019	Legal Notices	
CNCC-The Courier	May 28 2019	Legal Notices	

Victoria Bond
NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 3rd Day of June A.D. 2019



Charles E. Walicki
Notary Public in and for the State of Texas

Docket No. 49380

Notice to Current Customers, Neighboring Systems, and Cities
 UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 12250, NOTICE OF INTENT TO PURCHASE A PORTION OF NERRO SUPPLY, LLC'S WATER CCN NO. 12252 IN BRAZOS, BURLESON, CHAMBERS, MONTGOMERY, ROBERTSON, AND WALKER COUNTIES AND TO DECERTIFY A PORTION OF DEANVILLE WSC'S CCN NO. 10177 IN BURLESON COUNTY

Undine Texas, LLC 7581 Tobe Rd. Congress, Texas 77429
 (Purchaser's Name) (Address) (City), (State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase and transfer a portion of water certificated service area under CCN No. 12252, in Brazos, Burleson, Chambers, Montgomery, Robertson, and Walker Counties, TX from:

Nerro Supply, LLC PO Box 691008 Houston, Texas 77269
 (Seller's Name) (Address) (City), (State) (Zip Code)

Additionally, Undine Texas, LLC is decertifying a portion of Deanville WSC's CCN No. 10177 and incorporating uncertificated water service area into its CCN boundaries.

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions: Altendale, Apache Hills, Bayridge, Bunchley Oaks, Hillgreen, Lakeview N Marshall Oaks, Lakewood Estates, Little Oak Forest, Loch Ness Cove, Lost Lakes, Oaks at Houston Point, Oak Forest Lakeway, River Club, Smetana Forest, Somerville Place, Whispering Woods, Wildwood Shores/San Houston Forest, and Woodhaven Estates Subdivisions

Altendale Water System

The requested area is located approximately 6 miles east-northeast of downtown Sherman, Texas, and is generally bounded on the north by SH 242; on the east by Big Back Pond; on the south by Greenbough Street; and on the west by FM 1314. The requested area includes approximately 89 total acres and 50 current customers.

Apache Hills

The requested area is located approximately 3 miles west-northwest of downtown Somerville, Texas, and is generally bounded on the north by CR 460; on the east by Lakeview Drive; on the south by Somerville Lake; and on the west by Yegua Creek. The requested area includes approximately 92 total acres and 67 current customers.

Bunchley Oaks Subdivision & Lakewood Estates

The requested area is located approximately 6 miles northwest of downtown Bryan, Texas, and is generally bounded on the north by SH CSR & Redbud Drive; on the east by Redbud Drive; on the south by Mumford Road; and on the west by SH CSR. The requested area includes approximately 244 total acres and 241 current customers.

Hillgreen Subdivision Water Co.

The requested area is located approximately 4 miles northeast of downtown Conroe, Texas, and is generally bounded on the north by a line approx. 1000' north of Hillgreen Drive; on the east by Jeffcote Road; on the south by a line approx. 600' south of Hillgreen Drive; and on the west by West Fork Crystal Creek. The requested area includes approximately 59 total acres and 46 current customers.

Lakeview N Marshall Oaks & Somerville Place

The requested area is located approximately 4 miles west of downtown Somerville, Texas, and is generally bounded on the north by Big Creek; on the east by Recreation Road 4; on the south by CR 416; and on the west by Lakeview Drive. The requested area includes approximately 539* total acres and 220 current customers. *277 acres already certificated, 262 acres to be newly certificated

Little Oak Forest Subdivision

The requested area is located approximately 8 miles west of downtown Somerville, Texas, and is generally bounded on the north by Birch Creek; on the east by Birch Creek; on the south by Giebel Lane; and on the west by Park Road 57. The requested area includes approximately 203 total acres and 36 current customers.

Loch Ness Cove Subdivision Water System

The requested area is located approximately 7 miles northwest of downtown Willis, Texas, and is generally bounded on the north by Lake Paula Drive; on the east by Lake Conroe and Lake Paula; on the south by Cushman; and on the west by Lake Conroe. The requested area includes approximately 68* total acres and 80 current customers. *46 acres already certificated, 20 acres to be newly certificated

Lost Lakes

The requested area is located approximately 2 miles southeast of downtown Old River Winfree, Texas, and is generally bounded on the north by Old River; on the east by Old River; on the south by River Oaks Drive; and on the west by FM 565. The requested area includes approximately 49 total acres and 47 current customers.

Oaks at Houston Point & Bayridge Water System

The requested area is located approximately 6 miles southwest of downtown Baytown, Texas, and is generally bounded on the north by Tri City Beach Road; on the east by Jordan Drive; on the south by Trinity Bay; and on the west by Cedar Point Road. The requested area includes approximately 143 total acres and 116 current customers.

Oak Forest Lakeway Manor

The requested area is located approximately 10 miles northwest of downtown Bryan, Texas, and is generally bounded on the north by Noble Oaks Lane; on the east by Angway Drive; on the south by Lakeway Drive; and on the west by US 190. The requested area includes approximately 86 total acres and 49 current customers.

River Club Water

The requested area is located approximately 4 miles north of downtown Humble, Texas, and is generally bounded on the north by a line approx. 170' north of Russell Drive; on the east by Sorters McLellan Road; on the south by a line approx. 400' south of Lake Drive; and on the west by West Fork San Jacinto River. The requested area includes approximately 153 total acres and 75 current customers.

Smetana Forest

The requested area is located approximately 6 miles west of downtown Bryan, Texas, and is generally bounded on the north by Smetana Road; on the east by Smetana Road; on the south by Rondo Drive; and on the west by Luza Lane. The requested area includes approximately 70 total acres and 50 current customers.

Whispering Woods

The requested area is located approximately 7 miles northwest of downtown Somerville, Texas, and is generally bounded on the north by CR 410; on the east by CR 410; on the south by FM 60; and on the west by CR 408. The requested area includes approximately 190* total acres and 19 current customers. *88 acres to be decertified, 98 acres to be newly certificated (including 31 acres previously certificated to Deanville WSC), 106 total acres to ultimately be certificated to Undine Texas LLC.

Wildwood Shores

The requested area is located approximately 8 miles west of downtown New Waverly, Texas, and is generally bounded on the north by Pippen Road; on the east by Forest Service Road 222; on the south by Lake Conroe; and on the west by Lake Conroe. The requested area includes approximately 276 total acres and 173 current customers.

Woodhaven Estates

The requested area is located approximately 5 miles west of downtown Conroe, Texas, and is generally bounded on the north by Woodhaver, on the east by Elizabeth Ridge, on the south by FM 2854, and on the west by Old TX 105 West. The requested area includes approximately 44* total acres and 56 current customers. *25 acres already certificated, 19 acres to be newly certificated.

A copy of the map showing the affected area is available at: 17681 Teige Rd, Cypress, Texas 77429

This transaction will have the following effect on the current customers' rates and services:
All of the customers will be charged the same rates they were charged before the transaction.

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.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large scale map and a metes and bounds description of the landowner's tract of land.

Persons who wish to request this option should file the required documents with the:
Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

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

Utility Representative

Utility Name