



Control Number: 49380



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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 §**

**PUBLIC UTILITY COMMISSION**

**OF TEXAS**

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PUBLIC UTILITY COMMISSION

**COMMISSION STAFF'S REQUEST TO CHANGE STYLE OF DOCKET**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Request to Change Style of Docket. In support thereof, Staff shows the following:

**I. BACKGROUND**

On March 27, 2019, Undine Texas Environmental, LLC (Undine or Purchaser), and Nerro Supply, LLC (Nerro Supply or Seller) (collectively, Applicants), filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Brazos, Burleson, Chambers, Montgomery, Robertson, and Walker Counties, Texas, to decertify a portion of Nerro Supply's certificated area in Burleson County, Texas, and to amend its water certificate of convenience and necessity (CCN) to add an uncertificated area, pursuant to Texas Water Code (TWC) § 13.301, 16 Texas Administrative Code (TAC) §§ 24.239 and 24.227.

The application did not specify that Undine intended to add uncertificated area concurrently with the proposed transaction, other than as depicted in a proposed map included within the application. On August 8, 2019, Staff informally communicated with Applicants to clarify the intended application request.

On August 8, 2019, Commission Staff requested an extension of time to formulate its recommendation on final disposition.

On August 9, 2019, Undine filed Undine Texas, LLC's First Supplement to Application, confirming that the proposed application requests that an uncertificated area be added to Undine's CCN.

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Also on August 9, 2019, the Commission administrative law (ALJ) issued Order No. 4, granting Staff's request for an extension to file its recommendation on the approval of the sale by October 7, 2019.

## **II. REQUEST TO CHANGE STYLE OF DOCKET**

Staff notes that the current style of this docket considers only the portion of the application concerning Applicants' STM application and decertification request and not the request to add an uncertificated area. Consequently, Staff requests that the style be changed to "*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, and to Add an Uncertificated Water Service Area Into Undine Texas, LLC's CCN Boundaries*"

## **III. CONCLUSION**

Staff respectfully requests the entry of an order consistent with the above request.


Dated: August 13, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on August 13, 2019, in accordance with 16 Texas Administrative Code § 22.74.



Rustin Tawater