

Control Number: 49382



Item Number: 28

Addendum StartPage: 0

DOCKET NO. 49382

RECEIVED

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

PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILING CLERK

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

COMES NOW, Applicant, Undine Texas Environmental, 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. 49382-24) 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: \_\_\_\_\_

  
Peter T. Gregg  
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Austin, Texas 78701  
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(512) 457-8000  
(512) 457-8008 (fax)

**Attorneys for Undine Texas  
Environmental, 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 8 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](mailto:Rustin.tawater@puc.texas.gov)

**EXHIBIT A**

**NOTICE TO CUSTOMERS AND LANDOWNERS**

**Notice to Current Customers, Neighboring Systems, and Cities**

UNDINE TEXAS ENVIRONMENTAL, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 20816, NOTICE OF INTENT TO PURCHASE A PORTION OF NERRO SUPPLY, LLC'S SEWER FACILITIES AND TO TRANSFER ITS SEWER SERVICE AREA UNDER CCN NO. 20366 IN CHAMBERS, HARRIS, AND WALKER COUNTIES, TEXAS

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

Undine Texas Environmental, LLC                      17681 Telge Rd.                      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, LLC's sewer facilities and to transfer sewer certificated service area under CCN No. 20366, in Chambers, Harris, and Walker Counties, TX from:

Nerro Supply, LLC                      P.O. Box 691008                      Houston, TX                      77269-1008  
(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 subdivisions:

**Bayridge Sewer Treatment Plant (Bayridge Subd & Oaks at Houston Point) – WQ0013643-001- Chambers County**

The two requested areas are located approximately 5.8 miles southwest of downtown Beach City, TX, and is generally bounded on the north by Tri City Beach Road; on the east by Jordan Road; 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.

**Greens Bayou Fabrication Yard – WQ0003792-000 – Harris County**

The requested area is located approximately 3.4 miles east/northeast of downtown Galena Park, TX, and is generally bounded on the north by Greens Bayou; on the east by Greens Bayou; on the south by Buffalo Bayou; and on the west by Industrial Road.

The requested area includes approximately 254 total acres and 148 current customers.

**HUI Enterprises, Inc. (Wildwood Shores WWTP) – WQ0014154-001 - Walker County**

The requested area is located approximately 7.3 miles west of downtown New Waverly, TX, and is generally bounded on the north by .64 mile south of Pipkin Road; on the east by Forest Service Road 222; on the south and west by Lake Paula (Reservoir at Lake Conroe).

The requested area includes approximately 240 total acres and 130 current customers.

**The total area being requested includes approximately 637 acres and 394 current customers.**

**A copy of the map showing the requested area is available at: 17681 Telge Rd., Cypress, TX 77429**

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. 49382

STATE OF TEXAS  
COUNTY OF Harris

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

Current Customers, Neighboring Utilities, and Affected Parties Related to Docket No. 49382

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

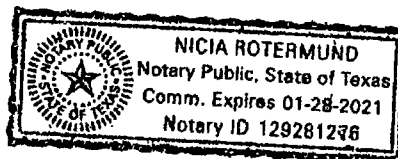
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 10th day of August, 20 19  
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.:** 49382

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

**SUBMITTING PARTY:** Undine Texas Environmental, LLC

**BRIEF DESCRIPTION OF CONTENTS:** Attachment B – List of Recipients

**BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE:** 8 to 12

**ENVELOPE #:** 1 OF 1

**ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:**

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**DATE SUBMITTED TO COMMISSION:** August 8, 2019

**EXHIBIT C**

**MAPS**



**General Location - Harris and Chambers Counties**

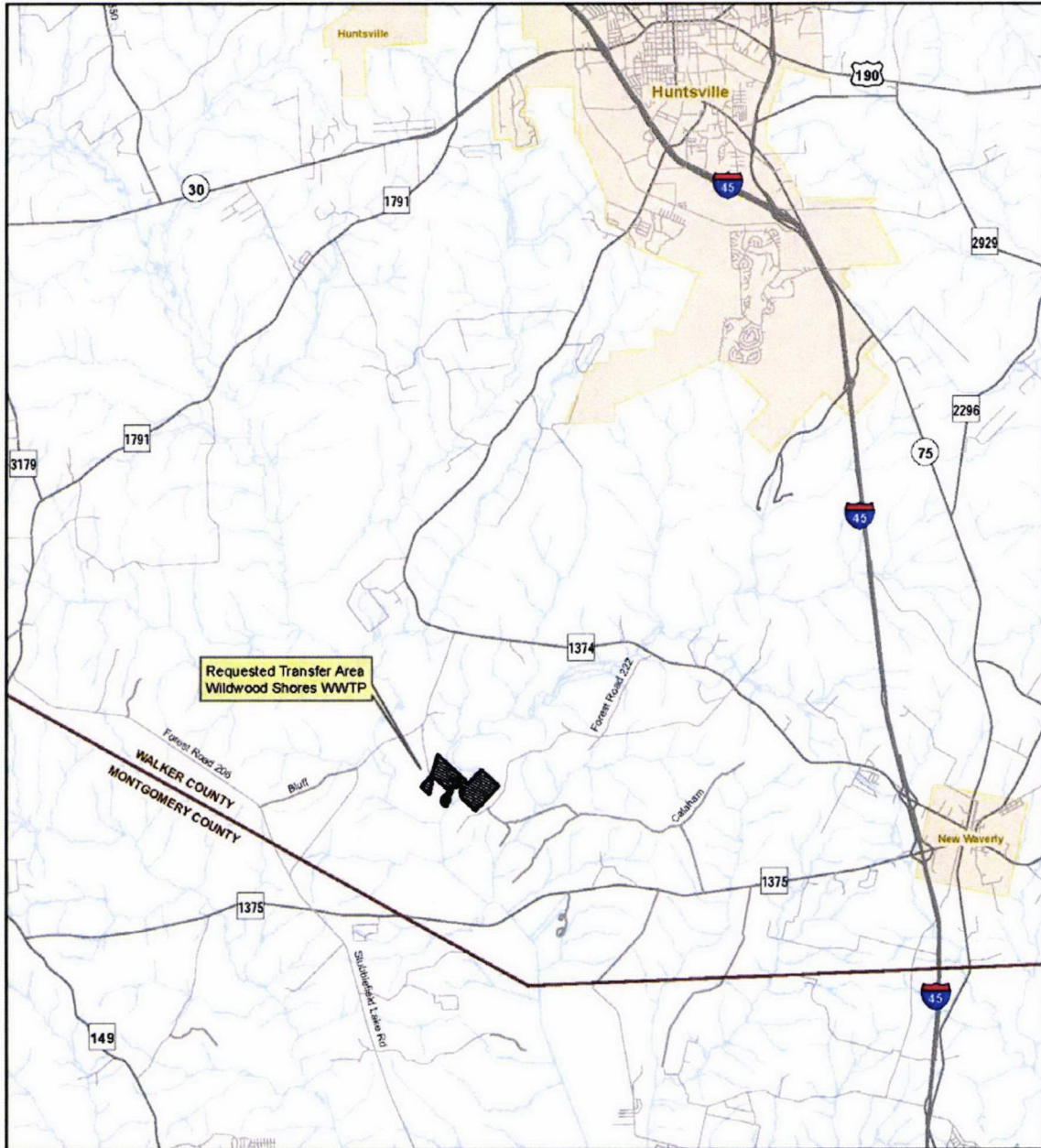
Undine Texas Environmental, LLC  
 Application to Transfer Nerro Supply, LLC, CCN No. 20366 to Undine Texas Environmental, LLC, CCN No. 20816  
 in Chambers, Harris and Walker Counties

**Requested Sewer Service Area to Transfer**

■ CCN 20366 - Nerro Supply, LLC

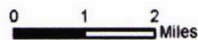
Map by: S. Burt, ASBGI  
 Date: March 7, 2019  
 Base: TXDOT Roadways 2015

Project: General Location Harris and Chambers Counties




**General Location - Walker County**

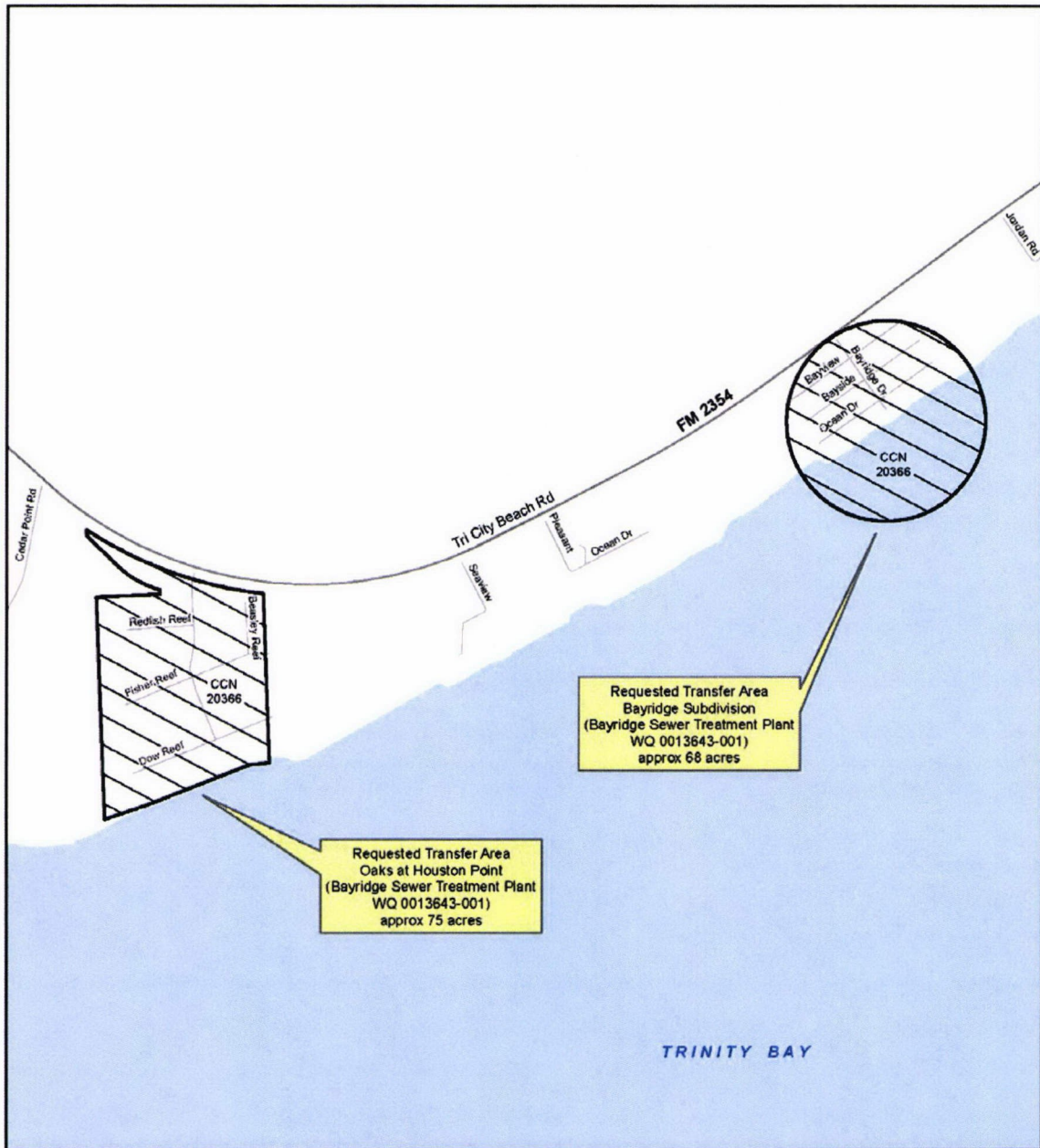
Undine Texas Environmental, LLC  
 Application to Transfer Nerro Supply, LLC, CCN No. 20366 to Undine Texas Environmental, LLC, CCN No. 20816  
 in Chambers, Harris and Walker Counties



**Requested Sewer Service Area to Transfer**

 CCN 20366 - Nerro Supply, LLC

Map by: S. Burt, ASBGI  
 Date: March 7, 2019  
 Base: TxDOT Roadways 2015  
 Project: General Location Walker County



Requested Transfer Area  
Oaks at Houston Point  
(Bayridge Sewer Treatment Plant  
WQ 0013643-001)  
approx 75 acres

Requested Transfer Area  
Bayridge Subdivision  
(Bayridge Sewer Treatment Plant  
WQ 0013643-001)  
approx 68 acres


**Detail Map - Chambers County**

Undine Texas Environmental, LLC  
Application to Transfer Nerro Supply, LLC, CCN No. 20366 to Undine Texas Environmental, LLC, CCN No. 20816  
in Chambers, Harris and Walker Counties

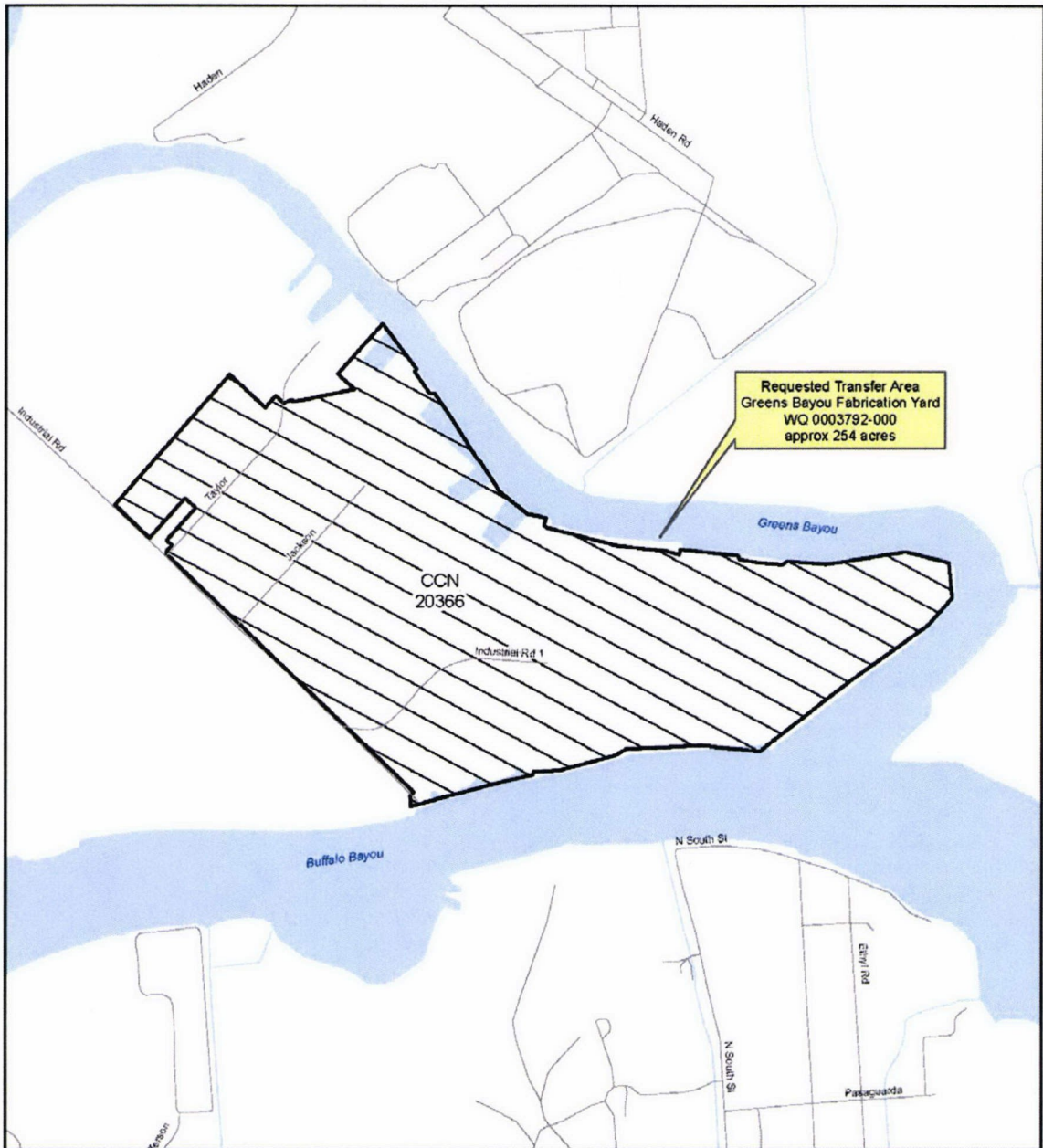


0 625 1,250 Feet

**Requested Sewer Service Area to Transfer**

 CCN 20366 - Nerro Supply, LLC

Map by: S. Burt, ASBGI  
Date: March 7, 2019  
Base: TxDOT Roadways 2015  
Project: Detail Map-Chambers




**Detail Map - Harris County**

Undine Texas Environmental, LLC  
 Application to Transfer Nerro Supply, LLC, CCN No. 20366 to Undine Texas Environmental, LLC, CCN No. 20816  
 in Chambers, Harris and Walker Counties

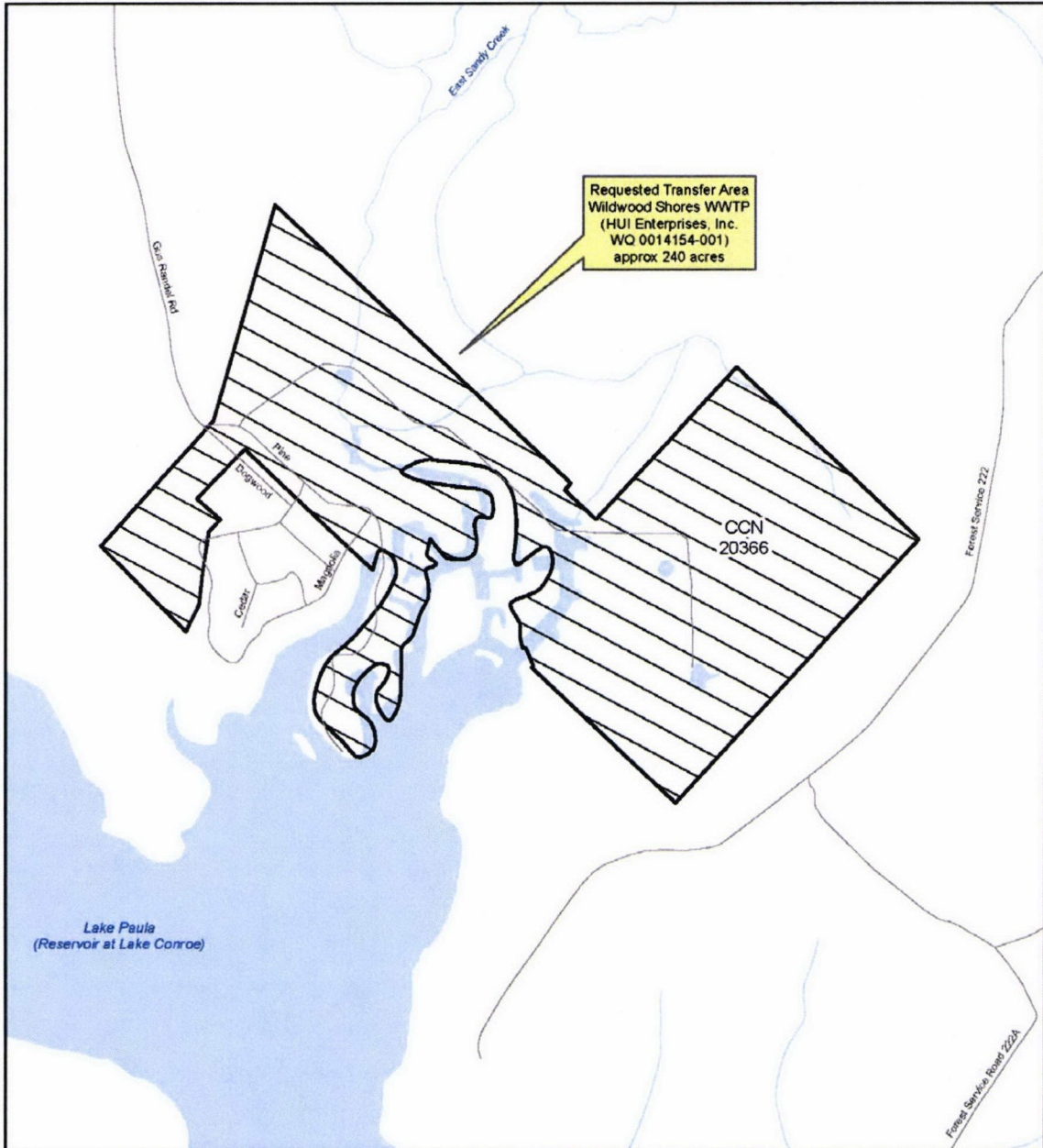


0 500 1,000  
 Feet

**Requested Sewer Service Area to Transfer**

 CCN 20366 - Nerro Supply, LLC

Map by: S. Burt, ASBGI  
 Date: March 7, 2019  
 Base: TxDOT Roadways 2015  
 Project: Detail Map - Harris County




**Detail Map - Walker County**

Undine Texas Environmental, LLC  
 Application to Transfer Nerro Supply, LLC, CCN No. 20366 to Undine Texas Environmental, LLC, CCN No. 20816  
 in Chambers, Harris and Walker Counties



0 500 1,000  
 Feet

**Requested Sewer Service Area to Transfer**

 CCN 20366 - Nerro Supply, LLC

Map by: S. Burt, ASBGI  
 Date: March 8, 2019  
 Base: TxDOT Roadways 2015  
 Project: Detail Map - Walker County