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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
OF TEXAS

**COMMISSION STAFF’S CLOSING DOCUMENTS SUFFICIENCY
RECOMMENDATION**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 8, files this Closing Documents Sufficiency Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On March 27, 2019, Nerro Supply, LLC (Nerro), and Undine Texas Environmental, LLC (Undine) (collectively, Applicants), filed an application for sale, transfer, or merger of Facilities and certificate rights in Chambers, Harris, and Walker Counties, Texas. Specifically, the applicants seek to sell and transfer portions of Nerro’s facilities and service area under sewer certificate of convenience and necessity (CCN) No. 20366 to Undine’s CCN No. 20816. The requested transfer includes service area within the Bayridge Subdivision and Oaks at Houston Point in Chambers County, Wildwood Shores in Walker County, and Greens Bayou Fabrication Yard in Harris County. Applicants filed supplemental information on June 19, 2019.

On January 28, 2020, the ALJ issued Order No. 9 approving the sale to proceed and establishing a deadline for Staff to file a recommendation regarding the sufficiency of closing documents and to propose a schedule for continued processing of this docket within 15 days following the filing of the applicant’s proof that the transaction had been consummated. Applicant’s filed proof that the transaction had been consummated on July 6, 2020, and July 7, 2020. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF CLOSING DOCUMENTS

Staff has reviewed the closing documents filed by Applicants on July 6, 2020. Based on its review, Staff has determined that Applicants' filing meets the requirements of 16 Texas Administrative Code (TAC) §§ 24.239(k)-(n).

Applicants also filed documentation on July 7, 2020, showing that all customer deposits pursuant to the current transaction have been addressed.

Accordingly, based upon Applicants' completion of the requirements, as stated in the Commission rules, Staff recommends a finding that the closing documents be found sufficient and that there are no customer deposits to address as a result of the transaction.

III. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff's recommendation that Applicants' closing documents be found sufficient, Staff proposes the following procedural schedule for continued processing of the docket:

Event	Date
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to Applicants for review and consent	August 20, 2020
Deadline for Applicants to file signed consent forms with the Commission	August 27, 2020
Deadline for parties to jointly file a proposed Notice of Approval, including proposed findings of fact, conclusions of law and ordering paragraphs	September 21, 2020

IV. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued finding that the closing documents filed by Applicants are sufficient and that customer deposits have been addressed. Staff further requests that the procedural schedule proposed above be adopted for the continued processing of this docket.

Dated: July 22, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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**DOCKET NO. 49382
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 22, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664

/s/ Rustin Tawater
Rustin Tawater