



Control Number: 49503



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DOCKET NO. 49503

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PUBLIC UTILITY COMMISSION  
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APPLICATION OF UNDINE §  
DEVELOPMENT, LLC AND UNDINE §  
TEXAS, LLC FOR SALE, TRANSFER, §  
OR MERGER OF FACILITIES AND §  
CERTIFICATE RIGHTS IN §  
BRAZORIA COUNTY §  
§

PUBLIC UTILITY COMMISSION  
OF TEXAS

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

COMES NOW, Applicant, Undine Texas, LLC ("Undine"), and files this Response to Order No. 2. Order No. 2 establishes a deadline of July 18, 2019 to provide the information contained herein. Accordingly, this response is timely filed.

Attached as Exhibit A is the Affidavit of Notice to Current Customers, Neighboring Utilities and Affected Parties.

Attached as Exhibit B is the UNDINE TEXAS, LLC Certificate of Convenience and Necessity (CNN) No. 13260, Notice of Intent to Purchase Facilities, Transfer Service Area and to Cancel Undine Development, LLC Water CCN No. 12407 in Travis, Texas.

Attached as Exhibit C is the customer mailing list, submitted confidentially.

Respectfully submitted,

DuBois, Bryant & Campbell, LLP

By: 

Peter T. Gregg  
State Bar No. 00784174  
303 Colorado, Suite 2300  
Austin, Texas 78701  
[pgregg@dbcllp.com](mailto:pgregg@dbcllp.com)  
(512) 457-8000  
(512) 457-8008 (fax)

Attorneys for Undine Texas, LLC

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 8th day of July 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

AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS,  
NEIGHBORING UTILITIES AND AFFECTED PARTIES  
DOCKET NO. 49503

EXHIBIT B

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)  
NO. 13260, NOTICE OF INTENT TO PURCHASE FACILITIES, TRANSFER SERVICE  
AREA AND TO CANCEL UNDINE DEVELOPMENT, LLC WATER CCN NO. 12407  
IN TRAVIS, TEXAS

EXHIBIT C

CUSTOMER MAILING LIST (CONFIDENTIAL)

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES  
DOCKET NO. 49503

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. 49503

DATE OF NOTICE  
July 03, 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

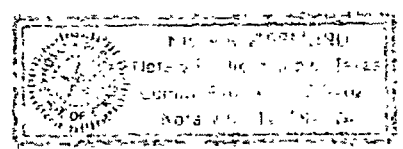
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 3rd day of July, 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



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

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260. NOTICE OF INTENT TO PURCHASE FACILITIES, TRANSFER SERVICE AREA AND TO CANCEL UNDINE DEVELOPMENT, LLC WATER CCN NO. 12407 IN TRAVIS, TEXAS

To: Current Customers, Neighboring Systems, and Cities

Date Notice Mailed: July 3, 2019

<u>Undine Texas, LLC</u>	<u>17681 Telge Road</u>	<u>Cypress, TX</u>	<u>77429</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase water facilities, transfer service area, and cancel CCN No. 12407 in Travis County, TX from:

<u>Undine Development, LLC</u>	<u>17681 Telge Road</u>	<u>Cypress, TX</u>	<u>77429</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

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: Oak Shores, Oak Shores on Lake Austin, Briarpatch, Smokey Ridge Annex and three tracts south thereof, Pearce Annex, Skishores Restaurant and Marina, West Greenshores and Pearce Rd Area, Woods of Greenshores, Greenshores on Lake Austin

The requested area subject to this transaction is located approximately 6.5 miles northwest of downtown Austin, Texas, and is generally bounded on the north by Pearce Road and Coldwater Creek; on the east by Lake Austin; on the south by Pearce Road; and on the west by City Park Road. The total requested area for the water CCN being transferred includes approximately 372 acres and 225 current customers.

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

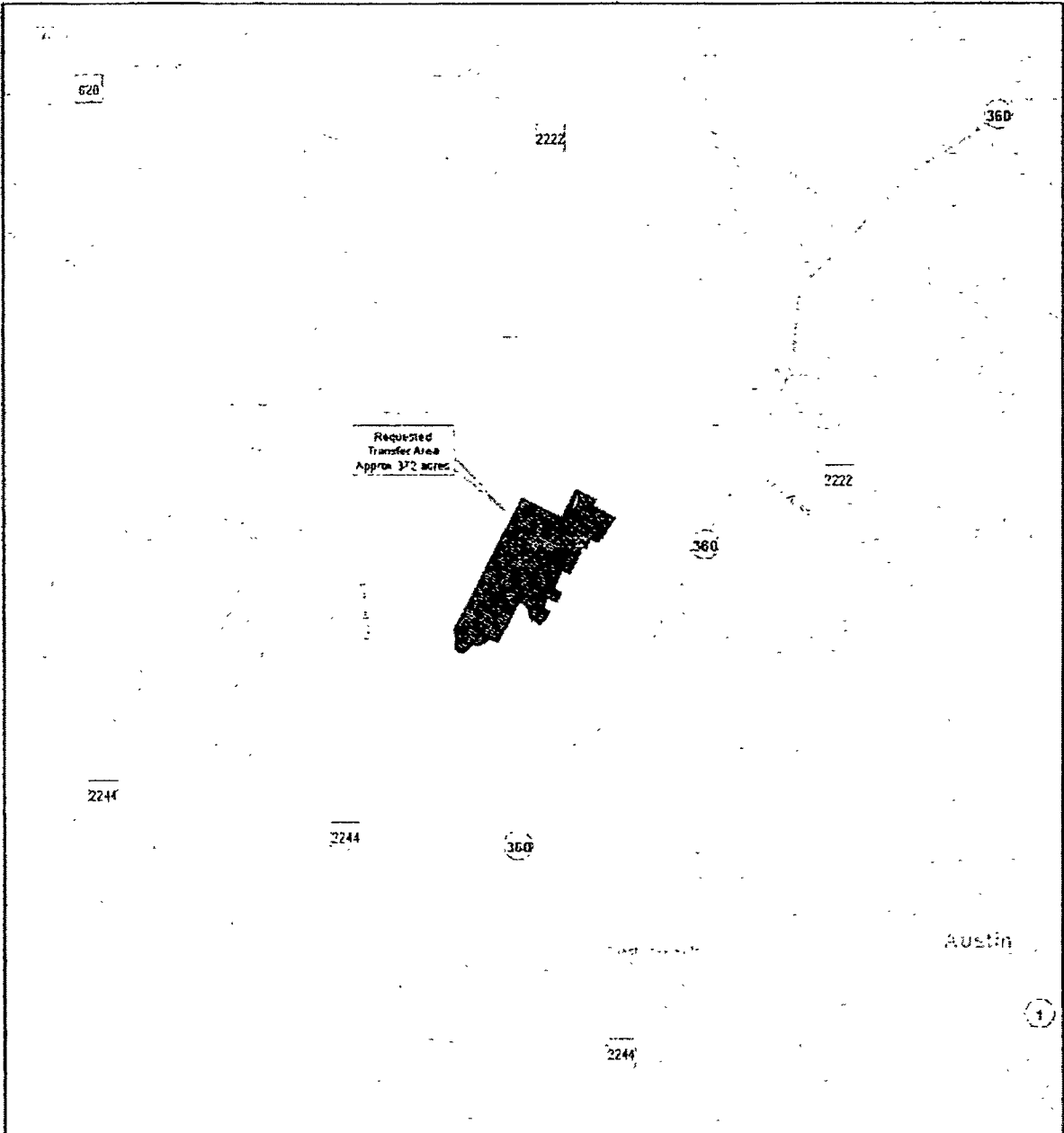
If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary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

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

Carey Thomas  
Utility Representative

Undine Texas, LLC  
Utility Name




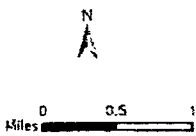


**General Location**

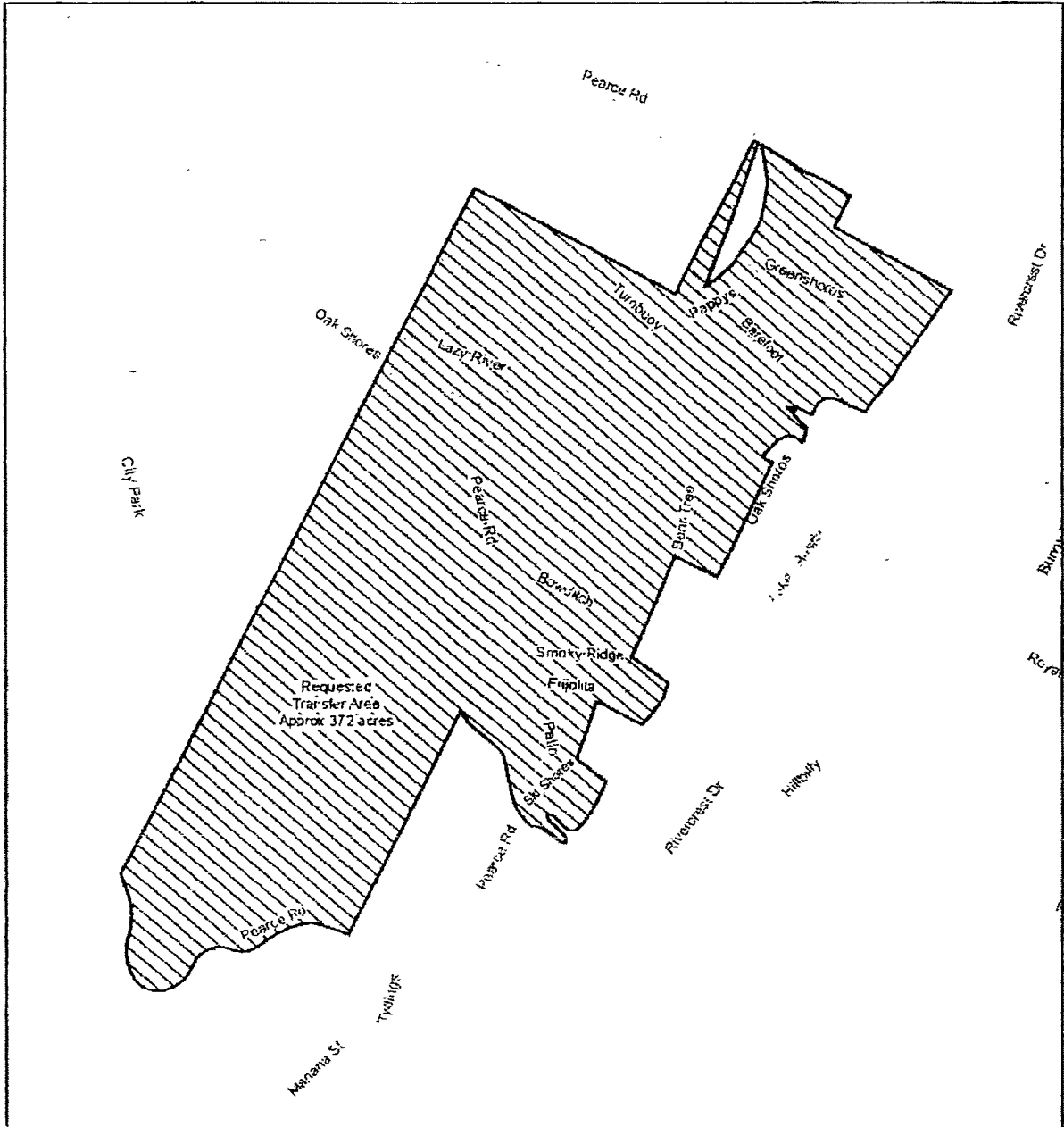
Undine Texas, LLC  
 Application to Transfer Undine Development, LLC. CCN No. 12407 to Undine Texas, LLC. CCN No. 13260  
 in Travis County

**Requested Water CCN Transfer Area**

 Undine Development, LLC. CCN 12407



Map by: S. Burt ASBG  
 Date: April 11, 2015  
 Base: TxDOT 2015 Roadways, TxDOT City  
 Project: PK-RE General Location- Water road



**Large Scale Map**

Undine Texas, LLC

Application to Transfer Undine Development, LLC, CCN No. 12407 to Undine Texas, LLC, CCN No. 15260  
in Travis County

**Requested Water CCN Transfer Area**



Undine Development, LLC, CCN 12407



0 500 1,000  
Feet

Map by: S. Burt ASBGI  
Date: April 11, 2019  
Base: TxDOT 2015 Roadways, TxDOT City  
Project: PK-RE Large Scale Water mud

# **CONFIDENTIAL**

**DOCKET NO.:** 49503

**STYLE: APPLICATION OF UNDINE DEVELOPMENT, LLC AND UNDINE TEXAS, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BRAZORIA COUNTY**

**SUBMITTING PARTY:** UNDINE TEXAS, LLC

**BRIEF DESCRIPTION OF CONTENTS:** Undine Texas, LLC's Response to Order No. 2

**BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE:** 10 TO 14

**ENVELOPE #:** 1 OF 1

**ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:**

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