



Control Number: 49615



Item Number: 15

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**DOCKET NO. 49615**

**APPLICATION OF MSEC  
ENTERPRISES, INC. AND MSEC  
WASTE WATER, INC. FOR SALE,  
TRANSFER, OR MERGER OF  
FACILITIES AND CERTIFICATE  
RIGHTS IN MONTGOMERY COUNTY** §  
§  
§  
§  
§  
§

**BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS**

2019-11-21 12:50

**NOTICE OF PROOF THAT TRANSACTION HAS BEEN CONSUMMATED AND  
CUSTOMER DEPOSITS HAVE BEEN PROPERLY ADDRESSED**

MSEC Waste Water, Inc. (MSEC Waste Water) hereby files this Notice and states the following:

1. Order No. 6, issued on October 30, 2019, approved the sale and transfer transaction in the referenced matter and required the applicants to submit, within 180 days of the Order and not later than 30 days after the consummation of the transaction, proof to the Public Utility Commission of Texas (Commission) that the transaction has been consummated and that the customer deposits have been addressed.

2. MSEC Waste Water is pleased to file this Notice informing the Commission that the transaction was closed on November 7, 2019. Attached hereto as Exhibit A is a fully-executed Bill of Sale evidencing the consummation of the transaction on November 7, 2019.

3. Attached hereto as Exhibit B is an Affidavit of No Customer Deposits attesting to the fact that no customer deposits were held by MSEC Enterprises, Inc. for the customers transferred to MSEC Waste Water.

4. By this filing, MSEC Waste Water has submitted all documents or information required by Order No. 6. Accordingly, consistent with Order No. 6, MSEC Waste Water hereby requests that the Commission Staff file a recommendation to approve the sufficiency of the documents.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE  
& TOWNSEND, P.C.**

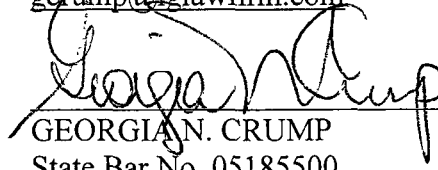
816 Congress Avenue, Suite 1900

Austin, Texas 78701

(512) 322-5800

(512) 472-0532 (Fax)

[gcrump@lglawfirm.com](mailto:gcrump@lglawfirm.com)



Handwritten signature of Georgia N. Crump in cursive script, positioned above a horizontal line.

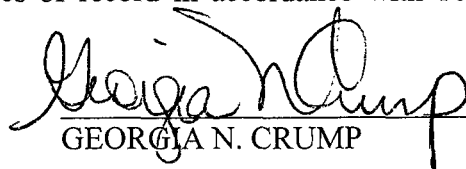
GEORGIA N. CRUMP

State Bar No. 05185500

ATTORNEYS FOR MSEC WASTE WATER,  
INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on November 12, 2019, a true and correct copy of the foregoing document has been served on all parties of record in accordance with 16 Tex. Admin. Code § 22.74.



Handwritten signature of Georgia N. Crump in cursive script, positioned above a horizontal line.

GEORGIA N. CRUMP

**Bill of Sale**

This Bill of Sale is made on this 7<sup>th</sup> day of November, 2019, by and between MSEC Enterprises, Inc. (Seller) and MSEC Waste Water, Inc. (Purchaser).

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is acknowledged, Seller SELLS AND DELIVERS to Purchaser the following described property (Property) located in the Seller's wastewater certificate of convenience and necessity (CCN) No. 20984 being transferred to Purchaser pursuant to authorization granted by the Public Utility Commission of Texas in Docket No. 49615 (Transferred Area): all physical wastewater utility facilities, including all plants, lines, pumps, meters, and accompanying equipment in the Transferred Area.

The Seller warrants that: (1) the Seller is the legal owner of the Property; (2) the Property is free from all liens and encumbrances; (3) the Seller has full right and authority to sell and transfer the Property; and (4) the Seller will warrant and defend the title of the Property against any and all claims and demands of all persons.

The Property is being sold in as "as is" condition, and the Seller expressly disclaims all warranties, whether express or implied, including but not limited to any implied warranty of merchantability or fitness for a particular purpose. Further, the Seller disclaims any warranty as to the condition of the Property. The Seller does not assume, or authorize any other person to assume on behalf of the Seller, any liability in connection with the sale of the Property. The Seller's above disclaimer of warranties does not, in any way, affect the terms of any applicable warranties from the manufacturer of the Property.

The Purchaser has been given the opportunity to inspect the Property or to have it inspected, and the Purchaser has accepted the Property in its existing condition. This Bill of Sale will be construed in accordance with and governed by the laws of the State of Texas.

Signed this 7<sup>th</sup> day of November, 2019.

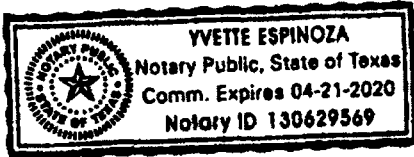
MSEC Enterprises, Inc.

By: 

MSEC Waste Water, Inc.

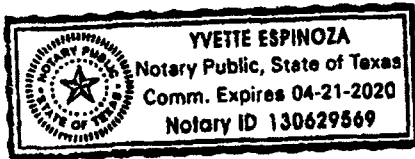
By: 

SWORN to and SUBSCRIBED before me, the undersigned authority, by Kerry Kelton on behalf of MSEC Enterprises, Inc., on this 7<sup>th</sup> day of November, 2019, to certify which witness my hand and seal of office.



Yvette Espinoza  
Notary Public, State of Texas

SWORN to and SUBSCRIBED before me, the undersigned authority, by Troy Morris, on behalf of MSEC Waste Water, Inc., on this 7<sup>th</sup> day of November, 2019, to certify which witness my hand and seal of office.



Yvette Espinoza  
Notary Public, State of Texas

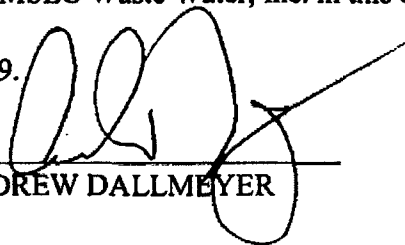
**PUBLIC UTILITY COMMISSION OF TEXAS  
DOCKET NO. 49615**

**STATE OF TEXAS                   §  
                                                  §  
COUNTY OF GRIMES           §**

**AFFIDAVIT OF NO CUSTOMER DEPOSITS**

I, Andrew Dallmeyer, authorized representative of MSEC Enterprises, Inc., hereby certify that MSEC Enterprises, Inc. did not hold any customer deposits for MSEC Enterprises, Inc.'s wastewater customers that have been transferred to MSEC Waste Water, Inc. because of the transfer of certain MSEC Enterprises, Inc. facilities to MSEC Waste Water, Inc. pursuant to the Application filed by MSEC Enterprises, Inc. and MSEC Waste Water, Inc. in this docket.

Signed on this 1<sup>st</sup> day of November, 2019.

  
\_\_\_\_\_  
ANDREW DALLMEYER

SWORN to and SUBSCRIBED before me, the undersigned authority, on this 7<sup>th</sup> day of November, 2019, to certify which witness my hand and seal of office.

  
\_\_\_\_\_  
Notary Public, State of Texas

