



Control Number: 50960



Item Number: 17

Addendum StartPage: 0



DOCKET NO. 50960

**APPLICATION OF NERRO SUPPLY,
LLC AND UNDINE TEXAS, LLC FOR
SALE, TRANSFER OF FACILITIES
AND CERTIFICATE RIGHTS IN
CHAMBERS, HARRIS, AND LIBERTY
COUNTIES**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 2, files this Supplemental Recommendation on Administrative Completeness and Proposed Procedural Schedule. Staff recommends that the application be deemed administratively complete. In support thereof, Staff shows the following:

I. BACKGROUND

On June 19, 2020, Nerro Supply, LLC (Nerro) and Undine Texas, LLC (Undine) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Chambers, Harris, and Liberty Counties. Specifically, Undine seeks approval to acquire facilities and to transfer a portion of Nerro's water Certificate of Convenience and Necessity (CCN) No. 12252. In addition, Undine seeks to amend its water CCN with additional area not currently certificated to Nerro. The total area Undine seeks to add to its CCN through the application is 680 acres and includes existing connections. On July 7, 2020, August 20 and 21, 2020, and September 15, 2020, Applicants filed supplements to the application.

On July 31, 2020, the administrative law judge (ALJ) issued Order No. 2, finding the application incomplete and deficient and requiring Staff to file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule by September 21, 2020. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information filed by Applicants and, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that it be found administratively complete and accepted for filing. Staff's recommendation on administrative completeness is not a comment on the merits of the application, but only that it is complete for further processing.

III. NOTICE

At this time, Staff recommends that the Applicants proceed with providing public notice to all current customers, persons, political subdivisions, and other entities listed in the attached memorandum using the notice provided by Ms. Garcia. Along with each individual notice, Staff recommends that Applicants provide an accurate map delineating the requested service area. In addition, Staff recommends that Applicants publish notice in a newspaper of general circulation in the counties where the uncertificated requested area is located for two consecutive weeks.

Staff further recommends that Applicants file proof of individual notice as described in the attached memorandum and proof of newspaper publication, including tear sheets. Finally, Staff recommends that Applicants use the attached notices and affidavits to meet these requirements.

IV. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline for Applicants to file proof of notice with the Commission, including signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties and published in a newspaper of general circulation	November 5, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	November 16, 2020
Deadline to intervene	Thirty (30) days after notice is issued

V. CONCLUSION

Staff respectfully recommends that the application be found administratively complete, that Applicants be directed to provide notice as detailed in the attached memorandum, and that the proposed procedural schedule be adopted.

Dated: September 21, 2020

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Kourtnee Jinks
Kourtnee Jinks
State Bar No. 24097146
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7265
(512) 936-7268 (facsimile)
kourtnee.jinks@puc.texas.gov

DOCKET NO. 50960

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 September 21, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks
Kourtnee Jinks

Public Utility Commission of Texas

Memorandum

To: Kourtnee Jinks, Attorney
Legal Division

From: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

Date: September 21, 2020

Subject: **Docket No. 50960**, *Application of Nerro Supply, LLC and Undine Texas, LLC for Sale, Transfer of Facilities and Certificate Rights in Chambers, Harris and Liberty Counties*

On June 19, 2020, Undine Texas, LLC (Undine or Purchaser) and Nerro Supply, LLC (Nerro or Seller) (collectively, Applicants) filed an application for Sale, Transfer, or Merger (STM) of facilities and certificate rights in Chambers, Harris, and Liberty Counties, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239. Additionally, Undine is seeking to add additional area and decertify a portion of H C M U D, Inc.'s (H C M U D) water Certificate of Convenience and Necessity (CCN) No. 11952 in Chambers, Harris, and Liberty Counties, Texas under TWC §§ 13.242 to 13.250 and 16 TAC §§ 24.225 to 24.237.

Specifically, Undine, CCN No. 13260, seeks approval to acquire facilities and to transfer a portion of Nerro's water CCN No. 12252. Undine is also requesting adjustments to the CCN area to decertify a portion of the area currently certificated to Nerro's water CCN No. 12252 that is served by another entity and adjust borders to properly cover the customers served in the areas. The total area to be transferred from Nerro is approximately 384 acres; 32 of these acres were incorrectly recorded in Nerro's last CCN transfer and thus, are incorrectly reflected on Nerro's current water CCN map and need to be moved to the correct location as part of this application. An additional 9 acres currently certificated to Nerro will be decertified. The total area to be amended/added to Undine's CCN is approximately 671 acres. This is comprised of 384 acres transferred from Nerro (including the 32-acre piece mentioned above that is incorrectly reflected on Nerro's current water CCN map and needs to be moved to the correct location), 9 acres to be decertified from Nerro, 323 acres amended to Undine's CCN and 5 acres currently certificated to H C M U D that will be dually certificated. CCN No. 11952 for H C M U D shows as inactive on the Commission's website and Undine has been unable to locate any contact information for H C M U D in order to obtain consent for decertification. Therefore, Undine is requesting dual certification with H C M U D for the 5 acres that overlap with this entity.

Staff from the Rate Regulation Division and Infrastructure Division have reviewed the additional information filed by the Applicants on August 20 and 21, 2020 and recommend that the application be deemed administratively complete. Staff further recommends the Applicants be ordered to do the following:

- 1) Provide notice of the application by first-class mail to the following:
 - a. Cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area:

- *Aqua Texas Inc (CCN No. 13203)*
- *Baytown Area Water Authority*
- *Chambers-Liberty Counties Navigation District*
- *City of Houston*
- *City of Jersey Village*
- *City of Mont Belvieu*
- *City of Old River-Winfree*
- *Coastal Water Authority*
- *CY Fair Community Improvement District*
- *Emerald Forest Utility District*
- *Gulf Coast Waste Disposal Authority*
- *H C M U D Inc (CCN No. 11952)*
- *Harris County Flood Control District*
- *Harris County Municipal Utility District (MUD) 6*
- *Harris County MUD 23*
- *Harris County MUD 25*
- *Harris County MUD 220*
- *Harris County MUD 261*
- *Harris County MUD 366*
- *Harris County Water Control & Improvement District 133*
- *Hunters Cove Section 1 Water Supply Corporation (CCN No. 12423)*
- *Krebs Utilities Inc (CCN No. 11984)*
- *Near Northwest Management District*
- *North Harris County Regional Water Authority*
- *Northwest Park MUD*
- *Port of Houston Authority*
- *Reid Road MUD 1 (CCN No. 11102)*
- *Reid Road MUD 2*
- *Rolling Fork Public Utility District*
- *Sunbelt Fresh Water Supply District (CCN No. 10833)*
- *Trinity @ Windfern LLC (CCN No. 13239)*
- *Trinity River Authority of Texas*
- *West Harris County MUD 1*
- *West Harris County MUD 9*
- *West Harris County MUD 10*
- *West Harris County MUD 11*
- *West Harris County MUD 21*
- *White Oak Bend MUD*
- *White Oak Manor (CCN No. 12987)*
- *Windfern Forest Utility District*
- *Woodcreek Water of Liberty (CCN No. 12449)*
- *Woodland Hills Water LLC (CCN No. 12388)*

- b. The county judge of each county that is wholly or partially included in the requested area:
- *Chambers County Judge*
 - *Harris County Judge*

- *Liberty County Judge*
- c. Each groundwater conservation district that is wholly or partially included in the requested area:
 - *Harris-Galveston Coastal Subsidence District*
 - d. Each owner of a tract of land that is at least 25 acres and is wholly or partly located in the uncertificated requested area. Notice must be mailed to the owner of the tract of land according to the most current tax appraisal rolls of the applicable central appraisal district at the time the application was filed.
 - e. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained by the Applicants from the Water Utility Database at <http://www.puc.texas.gov/watersearch>. Information related to districts including addresses can be obtained from the Texas Commission on Environmental Quality's (TCEQ) web site located at <http://www14.tceq.texas.gov/iwud/>.

- 2) Publish notice in a newspaper having general circulation in each county where the uncertificated requested area is located, once each week for two consecutive weeks. Proof in the form of a publisher's affidavit must be filed within 30 days of the publication date. The affidavit must state with specificity each county in which the newspaper is of general circulation. Within 30 days of the date the notice was mailed, Applicants must file an affidavit specifying the notice that was provided to every person and entity to whom notice was provided and the date the notice was mailed.
- 3) Provide notice and proof of notice using the attached notice and affidavit forms.
- 4) Provide a copy of a map delineating the requested area with each individual notice to neighboring utilities, other affected parties, landowners and customers.

Staff may determine that additional information is needed to make a final recommendation in this docket. If additional information is needed, Staff may send requests for information (RFI) to the Applicants. The Applicant will have 20 days from the receipt of the RFI to respond.

Notice to Current Customers, Neighboring Systems, and Cities

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO PURCHASE A PORTION OF THE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12252 FROM NERRO SUPPLY, LLC IN CHAMBERS, HARRIS, AND LIBERTY COUNTY, TEXAS

To: _____ Date Notice Mailed: _____, 20____
(Name of Customer, Neighboring System, or City)

(Address)

(City) State Zip)

<u>Undine Texas Environmental, LLC</u>	<u>17681 Tegle 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 a portion of Nerro Supply, LLC's water facilities and to transfer water certificated service area under CCN No. 12252, in Chambers, Harris and Liberty Counties, TX from:

<u>Nerro Supply, LLC</u>	<u>P.O. Box 691008</u>	<u>Houston, TX</u>	<u>77269</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place if approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

Maple Leaf Gardens and Oakland Village

The requested area is located approximately 2 mile(s) northeast of downtown Jersey Village, Texas, and is generally bounded on the north by Fox Road and Wind Fern Road; on the east by Wind Fern Road; on the south by West Road; and on the west by Houston Oaks Drive. The total requested area includes approximately 208 acres and 323 current customers.

The area to be transferred from Nerro Supply Inc is approximately 121 acres.

The area of the transfer area to be decertified is approximately 9 acres.

The area to be amended/added under single certification is approximately 73 acres.

The area to be amended/added under dual certification with H C M U D Inc is approximately 5 acres.

Indian Ridge/Riverwood and Woodland Acres

The requested area is located approximately 1 mile(s) north of downtown Old River-Winfree, Texas, and is generally bounded on the north by Champion Road and Little Caney Creek; on the east by FM 1409 and Harrison Estates Road; on the south by Old River; and on the west by a line 3,000' west of CR 4021. The total requested area includes approximately 513 acres and 407 current customers.

The area to be transferred from Nerro Supply Inc is approximately 263 acres.

The area to be amended/added is approximately 250 acres. This includes a part of the transfer area of approximately 32 acres that is to be moved to the correct location.

See enclosed map showing the requested areas

This transaction will not have an effect on the current customer's rates and services.

The requested area overlaps the district boundaries of the following districts:

- CY Fair Community Improvement District
- West Harris County MUD 11

If the districts do not request a public hearing, the Commission shall determine that the districts are consenting to Undine Texas Environmental, LLC's request to provide retail water and sewer utility service in the requested area.

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. The letter must include the person's name, address, email address and fax number if applicable.

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.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

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

Utility Representative

Utility Name

Updated: April 13, 2020

Notice for Publication

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO PURCHASE A PORTION OF THE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12252 FROM NERRO SUPPLY, LLC IN CHAMBERS, HARRIS, AND LIBERTY COUNTY, TEXAS

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

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The area to be amended/added is approximately 250 acres. This includes a part of the transfer area of approximately 32 acres that is to be moved to the correct location.

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.

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PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND
AFFECTED PARTIES
DOCKET NO. 50960

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (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.

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 _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT DOCKET NO. 50960

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____,

who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

Public Utility Commission of Texas

Memorandum

To: Kourtnee Jinks, Attorney
Legal Division

From: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

Date: September 21, 2020

Subject: **Docket No. 50960, Application of Nerro Supply, LLC and Undine Texas, LLC for Sale, Transfer of Facilities and Certificate Rights in Chambers, Harris and Liberty Counties**

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- *Woodland Hills Water LLC (CCN No. 12388)*

- b. The county judge of each county that is wholly or partially included in the requested area:
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 - *Harris County Judge*

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- c. Each groundwater conservation district that is wholly or partially included in the requested area:
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 - d. Each owner of a tract of land that is at least 25 acres and is wholly or partly located in the uncertificated requested area. Notice must be mailed to the owner of the tract of land according to the most current tax appraisal rolls of the applicable central appraisal district at the time the application was filed.
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- 3) Provide notice and proof of notice using the attached notice and affidavit forms.
- 4) Provide a copy of a map delineating the requested area with each individual notice to neighboring utilities, other affected parties, landowners and customers.

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To: _____ Date Notice Mailed: _____, 20____
(Name of Customer, Neighboring System, or City)

(Address)

(City State Zip)

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

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<u>Nerro Supply, LLC</u>	<u>P.O. Box 691008</u>	<u>Houston, TX</u>	<u>77269</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place if approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

Maple Leaf Gardens and Oakland Village

The requested area is located approximately 2 mile(s) northeast of downtown Jersey Village, Texas, and is generally bounded on the north by Fox Road and Wind Fern Road; on the east by Wind Fern Road; on the south by West Road; and on the west by Houston Oaks Drive. The total requested area includes approximately 208 acres and 323 current customers.

The area to be transferred from Nerro Supply Inc is approximately 121 acres.

The area of the transfer area to be decertified is approximately 9 acres.

The area to be amended/added under single certification is approximately 73 acres.

The area to be amended/added under dual certification with H C M U D Inc is approximately 5 acres.

Indian Ridge/Riverwood and Woodland Acres

The requested area is located approximately 1 mile(s) north of downtown Old River-Winfree, Texas, and is generally bounded on the north by Champion Road and Little Caney Creek; on the east by FM 1409 and Harrison Estates Road; on the south by Old River; and on the west by a line 3,000' west of CR 4021. The total requested area includes approximately 513 acres and 407 current customers.

The area to be transferred from Nerro Supply Inc is approximately 263 acres.

The area to be amended/added is approximately 250 acres. This includes a part of the transfer area of approximately 32 acres that is to be moved to the correct location.

See enclosed map showing the requested areas

This transaction will not have an effect on the current customer's rates and services.

The requested area overlaps the district boundaries of the following districts:

- CY Fair Community Improvement District
- West Harris County MUD 11

If the districts do not request a public hearing, the Commission shall determine that the districts are consenting to Undine Texas Environmental, LLC's request to provide retail water and sewer utility service in the requested area.

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. The letter must include the person's name, address, email address and fax number if applicable.

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.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

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

Utility Representative

Utility Name

Updated: April 13, 2020

Notice for Publication

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO PURCHASE A PORTION OF THE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12252 FROM NERRO SUPPLY, LLC IN CHAMBERS, HARRIS, AND LIBERTY COUNTY, TEXAS

<u>Undine Texas Environmental, LLC</u>	<u>17681 Tegel 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 a portion of Nerro Supply, LLC's water facilities and to transfer water certificated service area under CCN No. 12252, in Chambers, Harris and Liberty Counties, TX from:

<u>Nerro Supply, LLC</u>	<u>P.O. Box 691008</u>	<u>Houston, TX</u>	<u>77269</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place if approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

Maple Leaf Gardens and Oakland Village

The requested area is located approximately 2 mile(s) northeast of downtown Jersey Village, Texas, and is generally bounded on the north by Fox Road and Wind Fern Road; on the east by Wind Fern Road; on the south by West Road; and on the west by Houston Oaks Drive. The total requested area includes approximately 208 acres and 323 current customers.

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The area to be transferred from Nerro Supply Inc is approximately 263 acres.

The area to be amended/added is approximately 250 acres. This includes a part of the transfer area of approximately 32 acres that is to be moved to the correct location.

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.

The requested area overlaps the district boundaries of the following districts:

- CY Fair Community Improvement District
- West Harris County MUD 11

If the districts do not request a public hearing, the Commission shall determine that the districts are consenting to Undine Texas Environmental, LLC's request to provide retail water and sewer utility service in the requested area.

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. The letter must include the person's name, address, email address and fax number if applicable.

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

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND
AFFECTED PARTIES
DOCKET NO. 50960

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (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.

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 _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT DOCKET NO. 50960

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____,

who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____