



Control Number: 50962



Item Number: 40

Addendum StartPage: 0

RECEIVED
DOCKET NO. 50962

APPLICATION OF NERRO SUPPLY
INVESTORS, LLC AND UNDINE
TEXAS, LLC FOR SALE, TRANSFER
OR MERGER OF FACILITIES AND
CERTIFICATE RIGHTS IN
MONTGOMERY COUNTY

2021 FEB -9 PM 3:07
§ PUBLIC UTILITY COMMISSION
§ PUBLIC UTILITY COMMISSION
§ FILING CLERK
§ OF TEXAS
§

COMMISSION STAFF’S MOTION TO ABATE

On June 19, 2020, Nerro Supply Investors, 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 Montgomery County. Applicants seek to sell and transfer all of Nerro’s water service area and assets under Certificate of Convenience and Necessity (CCN) number 10336 to Undine. The requested area includes approximately 282 acres and 240 connections. In addition, Undine seeks to amend its water service area under CCN number 13260 with 9 acres of uncertificated land.

On January 27, 2021, the administrative law judge filed Order No. 8, which required the parties to file a joint motion to admit evidence and proposed order approving the sale and allowing the transaction to proceed by February 10, 2021. Therefore, this pleading is timely filed.

I. MOTION TO ABATE

It has come to Staff’s attention that the Applicants need additional time to work through some issues before proceeding with the consummation of the proposed transaction. Staff, therefore, moves to abate this proceeding until the Applicants are ready to move forward with the transaction. Staff has conferred with counsel for Undine who has agreed to a day-for-day extension of the 120-day deadline under 16 TAC § 24.239(a) for as long as the abatement lasts.

III. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above motion to abate.

Dated: February 9, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D' Ambrosio
Managing Attorney

/s/ Daniel Moore

Daniel Moore
State Bar No. 24116782
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7465
(512) 936-7268 (facsimile)
Daniel.Moore@puc.texas.gov

DOCKET NO. 50962

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 February 9, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore

Daniel Moore