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**DOCKET NO. 50962**

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

**PUBLIC UTILITY COMMISSION  
OF TEXAS  
PUBLIC UTILITY COMMISSION  
FILING CLERK**

**SECOND AGREED STATUS REPORT AND PROPOSED PROCEDURAL SCHEDULE**

Undine Texas, LLC (Undine), with agreement of The Staff (Staff) of the Public Utility Commission of Texas (Commission), Nerro Supply Investors, LLC (Nerro), and Intervenor, San Jacinto River Authority (SJRA) (collectively, the Parties), files this Second Status Report and Proposed Procedural Schedule.

On June 19, 2020, Nerro and Undine (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Montgomery County. Nerro and Undine 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 November 12, 2020, SJRA filed a motion to intervene. In Order No. 6, filed on December 2, 2020, the administrative law judge (ALJ) granted SJRA’s motion to intervene. On February 9, 2021, Commission Staff filed a motion to abate to allow the Applicants the opportunity to address certain issues to allow the parties to proceed with the consummation of the transaction once the issues were resolved.

On March 23, 2021, the ALJ filed Order No. 10, which directed the Parties to provide an update on the status of the docket and provide a proposed procedural schedule, if appropriate, on or before April 30, 2021. This pleading is therefore timely filed.

**I. STATUS REPORT**

The Parties report that the Applicants continue to work together to resolve the issues that precipitated the request for abatement, and that the Applicants have made progress along those lines. Because the Applicants do not have a specific anticipated timeframe for resolving those issues, the Parties are not prepared to present a proposed procedural schedule at this time.

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Accordingly, the Parties move to continue the abatement of this proceeding until the Applicants are ready to move forward with the transaction.

This filing is submitted with the consent of Staff, Nerro, and SJRA.

## II. CONCLUSION

The Parties respectfully request the entry of an order consistent with the above status report.

Respectfully submitted,

**DuBois, Bryant & Campbell, LLP**

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### 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 29<sup>th</sup> day of April, 2021:

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