



Control Number: 51632



Item Number: 33

Addendum StartPage: 0

DOCKET NO. 51632

**APPLICATION OF TERRA
SOUTHWEST, INC. AND UNDINE
TEXAS, LLC FOR SALE, TRANSFER,
OR MERGER OF FACILITIES AND
CERTIFICATE RIGHTS IN DENTON
COUNTY**

§
§
§
§
§
§

PUBLIC UTILITY COMMISSION

OF TEXAS

2021 JUN 21 PM 2:33

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), Terra Southwest, Inc. (Terra), and Intervenor, CSWR-Texas Utility Operating Company, LLC (CSWR) (collectively, the Parties), files this Status Report.

On December 16, 2020, Terra and Undine (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Denton County. Pursuant to the application, Terra and Undine seek to sell and transfer all of Terra's water service area and assets under Certificate of Convenience and Necessity number 11608 to Undine. The requested area includes approximately 1,325 acres and 867 current customers.

On April 16, 2021, CSWR filed a motion to intervene. In Order No. 7, filed on May 3, 2021, the administrative law judge (ALJ) granted CSWR's motion to intervene. On April 19, 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 April 20, 2021, the ALJ filed Order No. 6, granting Commission Staff's request to abate and directing the Parties to provide an update on the status of the docket and provide a proposed procedural schedule, if appropriate, on or before June 19, 2021. This pleading is therefore timely filed.

I. STATUS REPORT

The Parties report that the issues that precipitated the request for abatement remain unresolved, but that the Parties continue to pursue resolution of those issues. Because the Applicants cannot reasonably anticipate a timeframe within which the issues will be resolved, the Parties are not prepared to present a proposed procedural schedule at this time. Accordingly, the

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

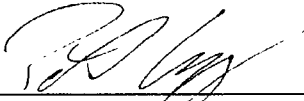
This filing is submitted with the consent of Staff, Terra, and CSWR.

II. CONCLUSION

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

Respectfully submitted,

DuBois, Bryant & Campbell, LLP

By: _____

Peter T. Gregg
State Bar No. 00784174
303 Colorado, Suite 2300
Austin, Texas 78701
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 21st day of June, 2021:

John Harrison
Public Utility Commission of Texas
Legal Division
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326
john.harrison@puc.texas.gov

Evan D. Johnson
Coffin Renner, LLP
1011 W. 31st Street
Austin, Texas 78705
evan.johnson@crtxlaw.com

Roger Key
Key Terrell & Seger LLP
P.O. Box 64968
Lubbock, TX 79464-4968
rkey@keyandterrell.com