



Filing Receipt

Received - 2021-11-16 09:57:11 AM
Control Number - 51632
ItemNumber - 43

DOCKET NO. 51632

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

RESPONSE TO ORDER NO. 9 – NOVEMBER 2021 STATUS REPORT

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 August 20, 2021, the ALJ filed Order No. 9, granting Commission Staff's request to continue the abatement and directing the Parties to provide monthly updates on the status of the docket beginning September 16, 2021. This pleading is therefore timely filed.

I. STATUS REPORT


The Parties report that resolution regarding the right to purchase Terra Southwest has not been reached. Accordingly, the Parties move to continue the abatement of this proceeding.

II. CONCLUSION

The Parties respectfully request the entry of an order consistent with the above status report.
This filing is submitted with the consent of Staff, Terra, and CSWR.

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 16th day of November, 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