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December 14, 2021

VIA E-FILING

The Honorable Gregory R. Simenakowski
Administrative Law Judge
Public Utility Commission
1701 N. Congress Ave.
Austin, Texas 78711-3326

Re: *Application of Utilities Investment Company, Inc. and UIC 13 LLC and Monarch Utilities I L.P. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Harris, Liberty, and Chambers Counties*; PUC Docket No. 52201;; 120-Day Deadline for the Commission to Approve the Sale

Dear Judge Simenakowski:

This correspondence is being submitted on behalf of Monarch Utilities I L.P. (Monarch), Utilities Investment Company, Inc. (UIC), and UIC 13 LLC (UIC 13) (together, Applicants), out of an abundance of caution, to notify the Commission that, given the expiration of the 120-day statutory period provided by Texas Water Code (TWC) § 13.301(f), the Applicants intend to consummate the proposed transaction as allowed by statute.

On June 1, 2021, Applicants filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Harris, Liberty, and Chambers counties under TWC § 13.301 and 16 Texas Administrative Code (TAC) § 24.239. Specifically, the applicants seek to: (1) transfer a portion of associated facilities and water service area currently held under UIC's water Certificate of Convenience and Necessity (CCN) number 12671 and all associated facilities and water service area under UIC 13's CCN number 13242 to Monarch's water CCN number 12983; (2) transfer a portion of associated facilities and sewer service area currently held under UIC's sewer CCN number 20765 and all associated facilities and sewer service area under UIC 13's CCN number 21091 to Monarch's sewer CCN number 20899; and (3) subsequently, cancel UIC 13's water CCN number 13242 and sewer CCN number 21091. The requested sale and transfer includes approximately 1,760.2 acres and 2,040 customers.

On August 31, 2021, Order No. 5 was issued, requiring the parties to file a joint motion to admit evidence and proposed order approving the sale and allowing the transaction to proceed by November 12, 2021, both of which were timely filed. In Order No. 4 filed on July 30, 2021, the ALJ found the application administratively complete. In Order No. 5, filed on August 3, 2021, the ALJ established that the 120-day deadline for the Public Utility Commission (Commission) to approve the sale or require a hearing, pursuant to 16 TAC § 24.239(b), was

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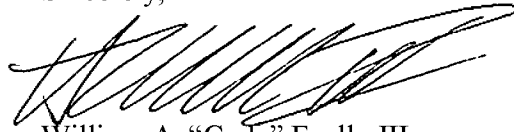
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November 23, 2021. On November 19, 2021, the ALJ issued Order No. 7, admitting the evidence offered in the joint motion to admit evidence.

TWC § 13.301(f) provides that the sale may be completed as proposed: “(1) at the end of the 120-day period; or (2) at any time after the utility commission notifies the utility . . . that a hearing will not be held.”

As noted above, the 120-day period expired on November 23, 2021. As of the date of this letter, the ALJ has yet to issue an order approving the sale and transfer to proceed. Therefore, the applicants wish to disclose their intent to complete the proposed transaction as provided for by statute.

Sincerely,

A handwritten signature in black ink, appearing to read 'William A. Faulk, III', written over a horizontal line.

William A. “Cody” Faulk, III
Attorney for Monarch Utilities I L.P.

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