



## **Filing Receipt**

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**Control Number - 52502**

**Item Number - 133**

**DOCKET NO. 52502**

**APPLICATION OF TEXAS WATER § PUBLIC UTILITY COMMISSION**  
**SYSTEMS, INC. AND UNDINE, LLC §**  
**FOR SALE, TRANSFER, OR MERGER § OF TEXAS**  
**OF FACILITIES AND CERTIFICATE §**  
**RIGHTS IN GREGG, HENDERSON, §**  
**SMITH, AND UPSHUR COUNTIES §**  
**§**

**ORDER NO. 32**  
**REQUIRING CLARIFICATION, SUPPLEMENTS, AND MOTION TO ADMIT**  
**EVIDENCE**

After review of the parties' joint proposed notice of approval and other filings that have been made in this docket, the administrative law judge requires the following clarification or supplemental information.

**I. Decertification of 12 Acres**

The Commission has addressed decertification, under Texas Water Code § 13.254 and 16 Texas Administrative Code (TAC) § 24.245, in its Order in Docket No. 51998.<sup>1</sup> The Commission must consider the factors in 16 TAC § 24.245(d)(2) in determining whether to grant or deny the request for decertification.

The ALJ requires the parties to identify the location in the record for the following information. If it is not in the record, the parties must supplement the record to include the following:

1. Notice, at the time the application was filed, to each customer and landowner within the 12 acres to be decertified, as required under 16 TAC § 24.245(d)(2)(A), or a request for a good cause waiver of notice; and
2. Commission Staff's recommendation under 16 TAC § 24.245(d)(2) on whether to grant or deny the request for decertification of the 12 acres.

**II. Corrected Certificate of Convenience and Necessity**

The certificate of convenience and necessity attached to the joint proposed does not properly identify all the counties included in Undines certificated service area.

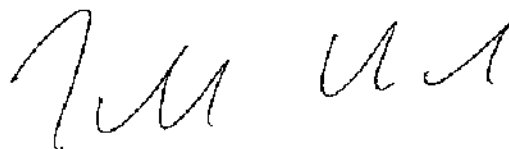
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<sup>1</sup> *Application of the City of Burleson to Amend its Certificate of Convenience and Necessity in Johnson County*, Docket No. 51998, Preliminary Order (Apr. 4, 2022).

On or before February 22, 2024, the parties must file a response to this Order and request that relevant filings be admitted into evidence.

**Signed at Austin, Texas the 7th day of February 2024.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

Handwritten signature of Jeffrey J. Huhn in black ink, consisting of stylized initials and a surname.

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**JEFFREY J. HUHN**  
**ADMINISTRATIVE LAW JUDGE**