



## **Filing Receipt**

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**Item Number - 140**

**DOCKET NO. 52502**

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

**JOINT RESPONSE TO ORDER NO. 35**

On June 10, 2024, the Administrative Law Judge (ALJ) filed Order No. 35 requiring a response from Texas Water Systems, Inc. (TWS), Undine Texas, LLC (Undine), and the Staff (Staff) of the Public Utility Commission (Commission) (collectively, the Parties) by June 24, 2024. Therefore, this pleading is timely filed.

**I. Response**

The Parties provide the following response to Order No. 35.

- A. Finally, the ALJ requires clarification as to the accuracy of the proposed certificate for Undine attached to the parties' December 18, 2023 joint motion to admit supplemental evidence and joint proposed notice of approval. By June 24, 2024, the parties must confirm that the proposed certificate correctly identifies all counties in which Undine has a CCN or file an accurate certificate.

An incomplete certificate of convenience and necessity (CCN) was attached to the Joint Motion to Admit Supplemental Evidence and Joint Proposed Notice of Approval filed on December 18, 2023 (Docket Id. No. 52502-131). Attached as **Exhibit A** is the correct and accurate CCN for Undine Texas, LLC. The Parties request that **Exhibit A** be admitted into evidence in the docket.

## **II. Conclusion**

The Parties request that the ALJ consider this information in clarification of the information previously submitted in the docket. The undersigned counsel for Undine represents that he has conferred with TWS and Staff, and TWS and Staff have authorized Undine to submit this joint response.

Dated: June 11, 2024.

Respectfully submitted,

**Gregg Law PC**



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**Attorneys for Undine Texas, LLC**

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### **CERTIFICATE OF SERVICE**

I certify pursuant to the above signature that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on June 11, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

## **EXHIBIT A**



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

**Undine Texas, LLC**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Undine Texas, LLC is entitled to this

## **Certificate of Convenience and Necessity No. 13260**

to provide continuous and adequate water utility service to that service area or those service areas in Brazoria, Brazos, Burleson, Chambers, Denton, Fort Bend, Gregg, Harris, Henderson, Jackson, Jasper, Johnson, Liberty, Matagorda, Montgomery, Polk, Robertson, San Jacinto, Smith, Tarrant, Tyler, Upshur, Van Zandt, and Walker counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52502 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Undine Texas, LLC to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.