



Filing Receipt

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

ORDER NO. 3
FINDING APPLICATION INCOMPLETE AND DEFICIENT
AND ESTABLISHING AN OPPORTUNITY TO CURE

This Order addresses the sufficiency of the September 2, 2021 application of Texas Water Systems, Inc. and Undine Development, LLC for approval of the sale, transfer, or merger of facilities and certificate rights in Gregg, Henderson, Smith, and Upshur counties. On September 14 and 27, 2021 and November 4 and 5, 2021, Texas Water and Undine Development filed supplements to the application. On November 8, 2021, Commission Staff filed recommendations regarding completeness, notice, and proposed procedural schedule.

The administrative law judge finds the application administratively incomplete and deficient. Under 16 Texas Administrative Code § 24.8(d), the Commission does not consider an application filed until it makes a determination that the application is administratively complete. Thus, at this time the application is not considered filed with the Commission.

On or before December 7, 2021, the applicants must supplement the application to cure the deficiencies as described in the November 8, 2021 memorandum of Patricia Garcia. Until the Commission receives and reviews the supplemental information, the application cannot proceed. The applicants must not issue notice until the application is deemed administratively complete.

On or before January 7, 2022, Commission Staff must file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate.

Signed at Austin, Texas the 9th day of November 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'G. R. Siemankowski', written over a horizontal line.

GREGORY R. SIEMANKOWSKI
ADMINISTRATIVE LAW JUDGE