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DOCKET NO. 52797

APPLICATION OF CONROE RESORT UTILITIES, LLC, UNDINE TEXAS, LLC, AND UNDINE TEXAS ENVIRONMENTAL, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN MONTGOMERY COUNTY	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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NOTICE OF INTENTION TO CONCLUDE TRANSACTION

COME NOW Undine Texas, LLC and Undine Texas Environmental, LLC (collectively, the Applicants) and file this Notice of Intention to Conclude Transaction.

I.

DISCUSSION

In its Request for Clarification (Docket Id. No. 52797-130), the Applicants sought confirmation from the ALJ regarding the Applicants’ interpretation that the Applicants were able to complete the transaction as of August 16, 2022 based on Texas Water Code § 13.301 and Commission Rule 16 Tex. Admin. Code § 24.239. As presented in the Request for Clarification, those provisions provide that before the expiration of the 120-day notice period the commission will determine whether to require a public hearing to determine if the transaction will serve the public interest. Texas Water Code § 13.301(e); Commission Rule 16 Tex. Admin. Code § 24.239(h). Those provisions further provide that unless the Commission holds a public hearing, then the sale may be completed at the end of the notice period. Texas Water Code § 13.301(f); 16 Tex. Admin. Code § 24.239(i).

Based on the pleadings and evidence in the docket, the 120-day notice period concluded on December 15, 2022. The Parties received no determination that the commission would require a public hearing by that date. The Applicants therefore conclude that Texas Water Code § 13.301 and Commission Rule 16 Tex. Admin. Code § 24.239 authorize the Applicants to complete the transaction as of December 16, 2022. Accordingly, the Applicants provide this notice of their intention to conclude the transaction on December 29, 2022. The December 29, 2022 closing date will satisfy the Applicants’ important goal of closing and funding the transaction in calendar year 2022, with the Applicants having initially submitted the application on November 8, 2021.

The Applicants note that they intended to provide the ALJ more time to consider the Request for Clarification before filing this pleading. However, the Applicants found it necessary to file this pleading sooner upon learning that the PUC offices will be closed from December 21st – December 27th.

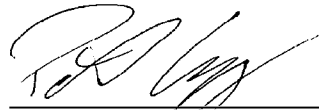
II.

CONCLUSION

The Applicants respectfully provide this notice for filing in this docket and request the further processing of the application.

Respectfully submitted,

GREGG LAW PC



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**Attorneys for Undine Texas, LLC and
Undine Texas Environmental, LLC**

CERTIFICATE OF SERVICE

As indicated by my signature above, I, Peter Gregg, certify 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 December 20, 2022 in accordance with the Order Suspending Rules, issued in Project No. 50664.