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DOCKET NO. 52797

APPLICATION OF CONROE	§	PUBLIC UTILITY COMMISSION
RESORT UTILITIES, LLC AND	§	
UNDINE DEVELOPMENT, LLC FOR	§	OF TEXAS
SALE, TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN MONTGOMERY	§	
COUNTY	§	

UNDINE DEVELOPMENT, LLC RESPONSE TO ORDER NO. 2

COMES NOW, Applicant, Undine Development, LLC ("Undine") and files this Response to Order No. 2. Order No. 2 establishes a deadline of February 4, 2022 to provide the information contained herein. Accordingly, this response is timely filed.

Attached as Exhibit A is the notice to affected parties and an affidavit of delivery and notice.

Attached as Exhibit B are the maps associated with Undine's application.

Attached as Exhibit C (submitted confidentially) is the list of recipients.

Respectfully submitted,

Gregg Law PC



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Attorneys for Undine Development, LLC.

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 February 1, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

EXHIBIT A

Notice to Current Customers, Neighboring Systems, and Cities
UNDINE DEVELOPMENT, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY
(CCN) NO. 12407, 20948, NOTICE OF INTENT TO PURCHASE WATER AND SEWER
FACILITIES AND TO TRANSFER WATER AND SEWER SERVICE AREA UNDER CCN
NO. 11942,20638 FROM CONROE RESORT UTILITIES, LLC IN MONTGOMERY
COUNTY, TEXAS

To: Current Customers, Neighboring Systems, and Cities Notice Mailed: January 28, 2022

<u>Undine Development, LLC</u>	<u>17681 Telge Road</u>	<u>Cypress, TX</u>	<u>77429</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase all of the water facilities and to transfer water certificated service area under CCN No. 11942 and all of the sewer facilities and to transfer sewer certificated service area under CCN No. 20638, in Montgomery County, TX from:

<u>Conroe Resort Utilities, LLC</u>	<u>600 Margaritaville Parkway</u>	<u>Montgomery, TX</u>	<u>77356</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivision:
Margaritaville Lake Resort, Inverness at Del Lago.

The requested area is located approximately 2.7 miles northeast of downtown Montgomery, Texas, and is generally bounded on the north by Walden Road; on the east by Fountainview Drive; on the south by Lake Conroe; and on the west by Walden Road and Lake Conroe.

The requested area includes 294 water customer connections, 289 sewer customer connections, and includes approximately 282 acres of transferred area from Conroe Resort Utilities, LLC (CCN Nos. 11942 and 20638) to Undine Development, LLC (CCN Nos. 12407 and 20948).

See enclosed map showing the requested area.

This transaction will change a customer's rates and services to the current approved rates and services of Undine Development, LLC, which are higher than the current approved rate for Conroe Resort Utilities, LLC for a 5/8" meter. A copy of the water and sewer tariffs for Undine Development, LLC (Docket No. 46150) can be viewed through our website: <https://undinellc.com/Tariff/Undine%20Development%20Water%20Tariff.pdf> <https://undinellc.com/Tariff/Undine%20Development%20Sewer%20Tariff.pdf> or call: 713-574-5953 to request a copy. The new rates are found on Water and Sewer Tariff page 2.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired

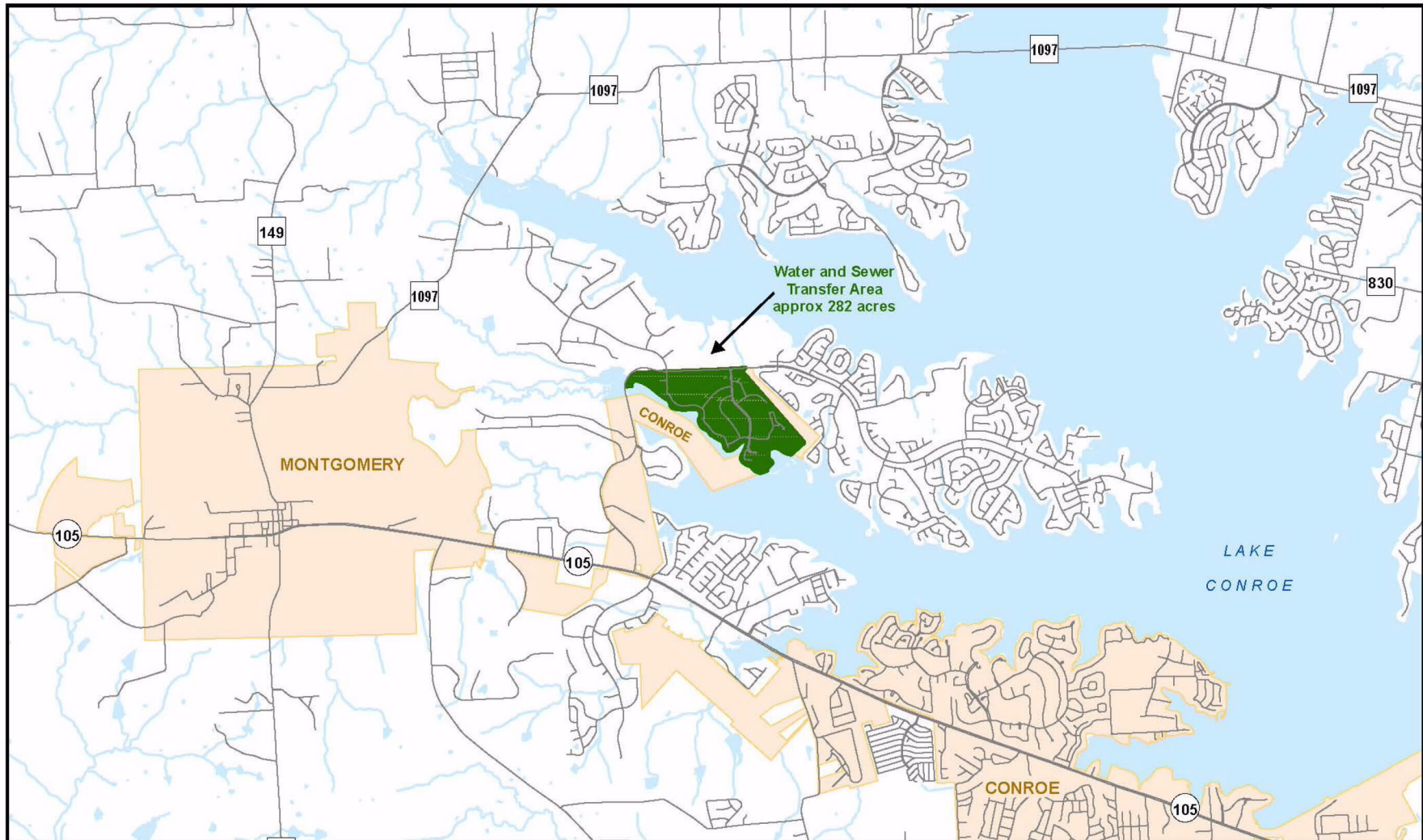
individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

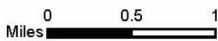
Carey A. Thomas
Utility Representative

Undine Development, LLC
Utility Name



General Location

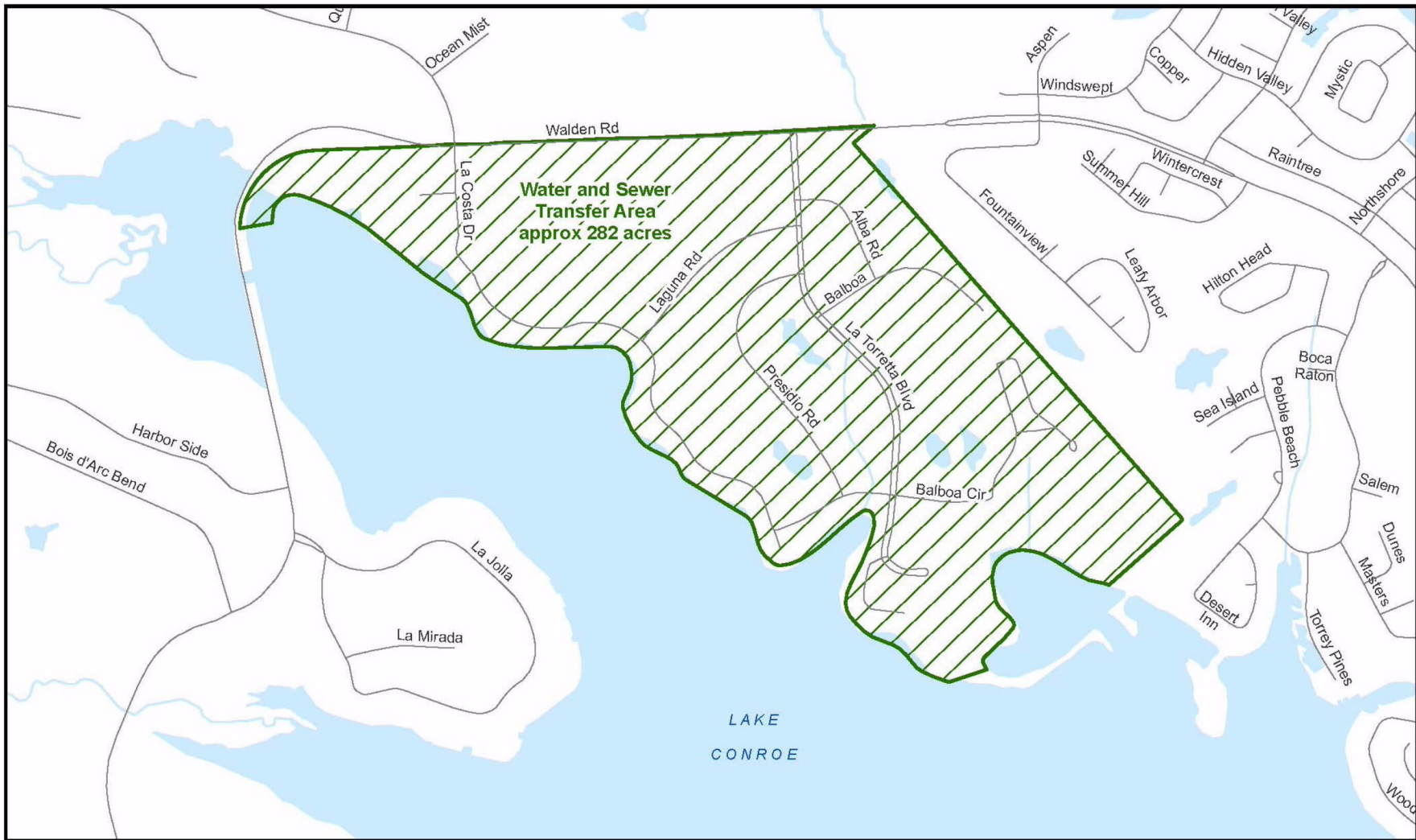
Undine Development, LLC
Application to Transfer Conroe Resort Utilities, LLC, CCN Nos. 11942 and 20638 to Undine Development, LLC, CCN Nos. 12407 and 20948
in Montgomery County



Requested Water and Sewer Transfer Area

 CCNs 11942, 20638 - Conroe Resort Utilities, LLC - approx 282 acres

Map by: S. Burt, ASBG1
Date: October 27, 2021
Base: StratMapTransv2
Project: Conroe Resort General Location.mxd



Detail Map

Undine Development, LLC
 Application to Transfer Conroe Resort Utilities, LLC, CCN Nos. 11942 and 20638 to Undine Development, LLC, CCN Nos. 12407 and 20948
 in Montgomery County



0 500 1,000
 Feet

Requested Water and Sewer Transfer Area

 CCNs 11942, 20638 - Conroe Resort Utilities, LLC - approx 282 acres

Map by: S. Burt, ASBGI
 Date: October 27, 2021
 Base: StratMapTransv2
 Project: Conroe Resort Detail Map.mxd

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND
AFFECTED PARTIES
DOCKET NO. 52797

STATE OF TEXAS
COUNTY OF Harris

Undine Deveopment, LLC has provided individual
notice to the following entities and customers:

Current Customers, Neighboring
Utilities, and Affected Parties
Related to Docket No. 52797

DATE OF NOTICE
January 28, 2022

OATH

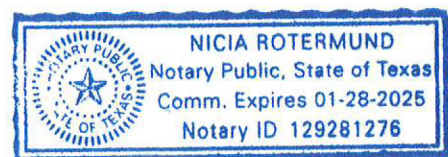
I, Carey A. Thomas, being duly sworn, file this form as
Senior Vice President (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Carey A. Thomas
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 31st day of January, 2022
to certify which witness my hand and seal of office.

Nicia Rotermund
Notary Public in and for the State of Texas
Print or Type Name of Notary Public



Commission Expires January 28, 2025
Notice Form Updated: April 8, 2021

EXHIBIT B

CONFIDENTIAL

DOCKET NO.: 52797

STYLE: APPLICATION OF CONROE RESORT UTILITIES, LLC AND UNDINE DEVELOPMENT, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN MONTGOMERY COUNTY

SUBMITTING PARTY: Undine Development, LLC

BRIEF DESCRIPTION OF CONTENTS:-
Exhibit B – Applicant’s Response to Order No. 2

BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE:
A p p - 1 0 - A p p - 1 5

ENVELOPE #: 1 OF 1

ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:

DATE SUBMITTED TO COMMISSION: February 1, 2022