



## **Filing Receipt**

**Filing Date - 2023-04-12 02:25:30 PM**

**Control Number - 52797**

**Item Number - 155**

**DOCKET NO. 52797**

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| <b>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</b> | <b>§<br/>§<br/>§<br/>§<br/>§<br/>§</b> | <b>PUBLIC UTILITY COMMISSION<br/><br/>OF TEXAS</b> |
|--|--|--|

**UNDINE SUPPLEMENTAL RESPONSE TO ORDER NO. 17**

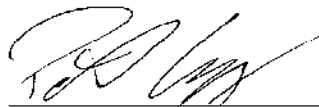
COME NOW, Applicants Undine Texas, LLC, and Undine Texas Environmental, LLC (collectively, "Undine") and file this Supplemental Response to Order No. 17.

Attached as Exhibit A is the notice to affected parties, an affidavit of delivery and notice, and the maps associated with Undine's application.

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

Respectfully submitted,

**Gregg Law PC**



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

**DOCKET NO. 52797**

**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 April 12, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

**EXHIBIT A**

# PUBLIC UTILITY COMMISSION OF TEXAS



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

STATE OF TEXAS  
COUNTY OF Harris

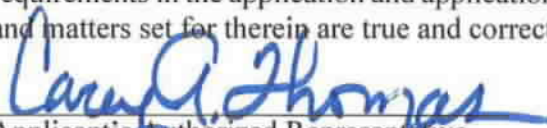
Undine Texas, LLC and Undine Texas Environmental, LLC has provided individual notice to the following entities and customers:

Current Customers, Landowners,  
Neighboring Utilities, and Affected  
Parties

DATE OF NOTICE  
April 6, 2023

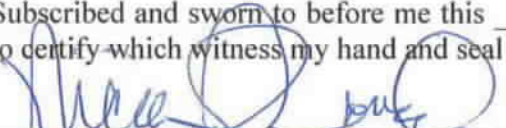
### OATH

I, Carey 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 forth therein are true and correct.

  
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 6<sup>th</sup> day of April, 2023  
to certify which witness my hand and seal of office.

  
Notary Public in and for the State of Texas

Nicia Rotermund  
Print or Type Name of Notary Public

Commission Expires January 28, 2025



*Notice to Current Customers, Neighboring Systems, and Cities*

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11942 FROM CONROE RESORT UTILITIES, LLC AND FOR UNDINE TEXAS ENVIRONMENTAL, LLC, CCN NO. 20816 TO PURCHASE SEWER FACILITIES AND SEWER SERVICE AREA UNDER CCN NO. 20638 FROM CONROE RESORT UTILITIES, LLC IN MONTGOMERY COUNTY, TEXAS

To: *Current Customers, Neighboring Systems, and Cities* Date Notice Mailed: April 6, 2023

Undine Texas, LLC and Undine Texas Environmental, LLC

(Purchaser's Name)

17681 Telge Road Cypress, TX 77429  
(Address) (City), (State) (Zip Code)

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

Conroe Resort Utilities, LLC 600 Margaritaville Parkway Montgomery, TX 77356  
(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 water and sewer 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 water area* includes 294 water customer connections and includes approximately 282 acres of transferred area from Conroe Resort Utilities, LLC (CCN No. 11942) to Undine Texas, LLC (CCN No. 13260).

The application proposes the subtraction of approximately 282 acres from Conroe Resort Utilities, LLC (CCN No. 11942). The application proposes the addition of approximately 282 acres to Undine Texas, LLC (CCN No. 13260).

The *requested sewer area* includes 289 sewer customer connections and includes approximately 282 acres of transferred area from Conroe Resort Utilities, LLC (CCN No. 20638) to Undine Texas Environmental, LLC (CCN No. 20816).

The application proposes the subtraction of approximately 282 acres from Conroe Resort Utilities, LLC (CCN No. 20638). The application proposes the addition of approximately 282 acres to Undine Environmental, LLC (CCN No. 20816). **See enclosed map showing the requested water and sewer areas.**

The transaction transferring Conroe Resort Utilities, LLC water facilities and water service area to Undine Texas, LLC will change a customer's rates and services to the current approved rates and services of Undine Texas, LLC (in tariff as Rate Year 3, effective August 1, 2022), which are higher than the current approved rate for Conroe Resort Utilities, LLC for a 3/4" meter. A copy of the water tariff for Undine Texas, LLC (Docket No. 50017, new rates on page 9) can be viewed through our website at:

<https://www.undinellc.com/wp-content/uploads/Undine-Texas-LLC-Water-Tariff.pdf>

The transaction transferring Conroe Resort Utilities, LLC sewer facilities and sewer service area to Undine Texas Environmental, LLC will change a customer's rates and services to the current approved rates and services of Undine Texas Environmental, LLC (in tariff as Rate Year 3, effective August 1, 2022), which are higher than the current approved rate for Conroe Resort Utilities, LLC for a 3/4" meter. A copy of the sewer tariff for Undine Texas Environmental, LLC (Docket No. 50018, new rates on page 3) can be viewed through our website at:

<https://www.undinellc.com/wp-content/uploads/Undine-Texas-Environmental-LLC-Sewer-Tariff.pdf>

or call: 713-574-5953 to request a copy of the water and/or sewer tariff.

**BILLING COMPARISON for a 3/4" meter**

**Water**

|          |                    |              |     |          |                    |               |     |
|----------|--------------------|--------------|-----|----------|--------------------|---------------|-----|
| Existing | 2,000 gallons: \$  | <u>29.70</u> | /mo | New Rate | 2,000 gallons: \$  | <u>81.22</u>  | /mo |
| Existing | 5,000 gallons: \$  | <u>36.54</u> | /mo | New Rate | 5,000 gallons: \$  | <u>88.45</u>  | /mo |
| Existing | 10,000 gallons: \$ | <u>47.94</u> | /mo | New Rate | 10,000 gallons: \$ | <u>104.18</u> | /mo |

**Sewer**

|          |                    |              |     |          |                    |               |     |
|----------|--------------------|--------------|-----|----------|--------------------|---------------|-----|
| Existing | 2,000 gallons: \$  | <u>44.27</u> | /mo | New Rate | 2,000 gallons: \$  | <u>110.00</u> | /mo |
| Existing | 5,000 gallons: \$  | <u>55.31</u> | /mo | New Rate | 5,000 gallons: \$  | <u>110.00</u> | /mo |
| Existing | 10,000 gallons: \$ | <u>73.71</u> | /mo | New Rate | 10,000 gallons: \$ | <u>110.00</u> | /mo |

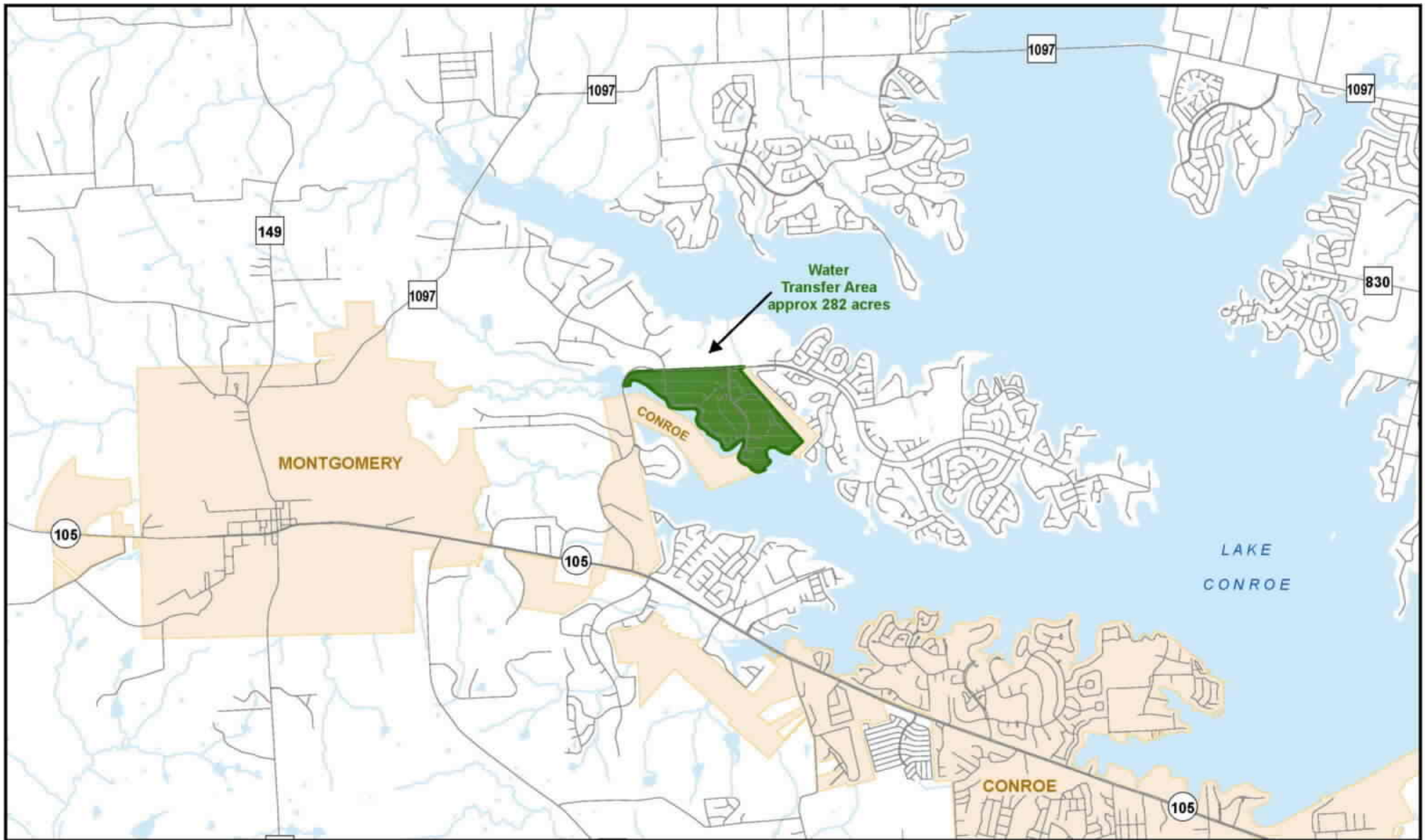
*Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones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


Undine Texas, LLC and Undine Texas Environmental, LLC  
Utility Name



**General Location - Water**

Undine Texas, LLC  
Application to Transfer Conroe Resort Utilities, LLC, CCN No. 11942 to Undine Texas, LLC, CCN Nos. 13260  
in Montgomery County

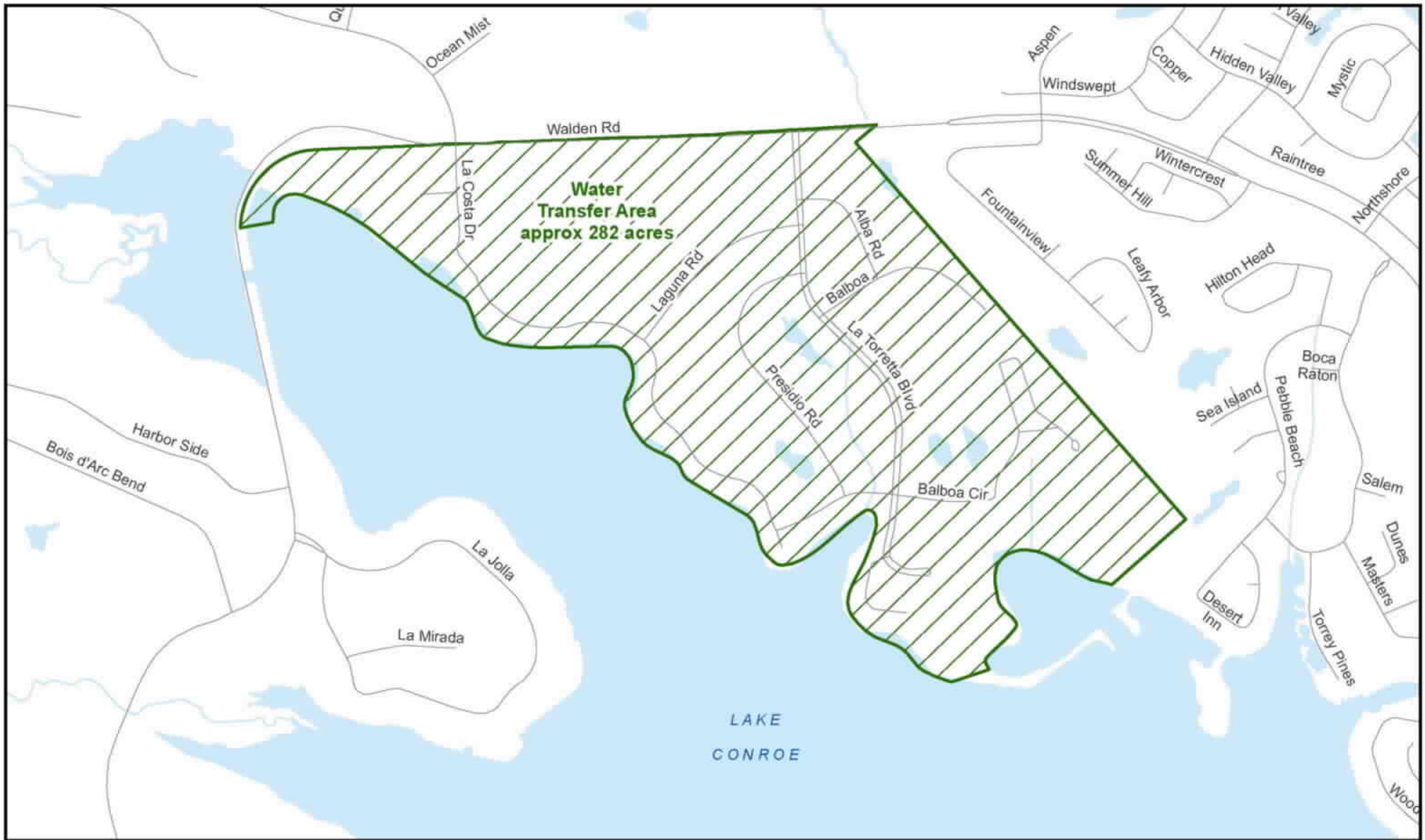
**Requested Water Transfer Area**

 CCN 11942 - Conroe Resort Utilities, LLC - approx 282 acres

Map by: S. Burt, ASBGI  
Date: August 8, 2022  
Base: StratMapTransv2

Project: Conroe Resort General Location Water.mxd




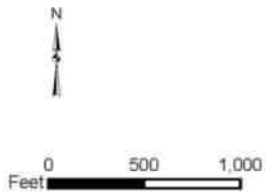


**Detail Map - Water**

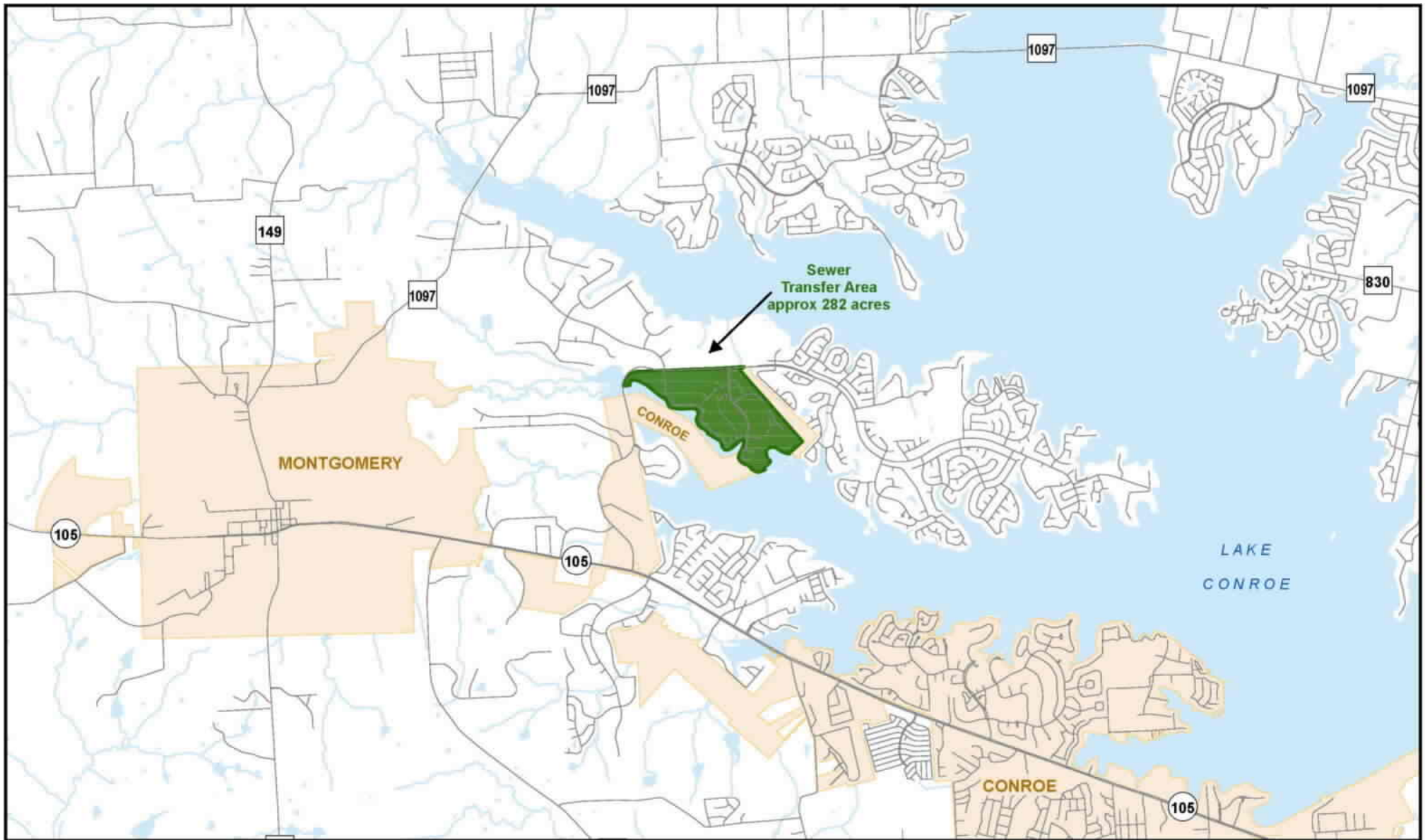
Undine Texas, LLC  
 Application to Transfer Conroe Resort Utilities, LLC, CCN No. 11942 to Undine Texas, LLC, CCN No. 13260  
 in Montgomery County

**Requested Water Transfer Area**

 CCN 11942 - Conroe Resort Utilities, LLC - approx 282 acres




Map by: S. Burt, ASBGI  
 Date: August 8, 2022  
 Base: StratMapTransv2  
 Project: Conroe Resort Detail Map-Water.mxd



**General Location - Sewer**

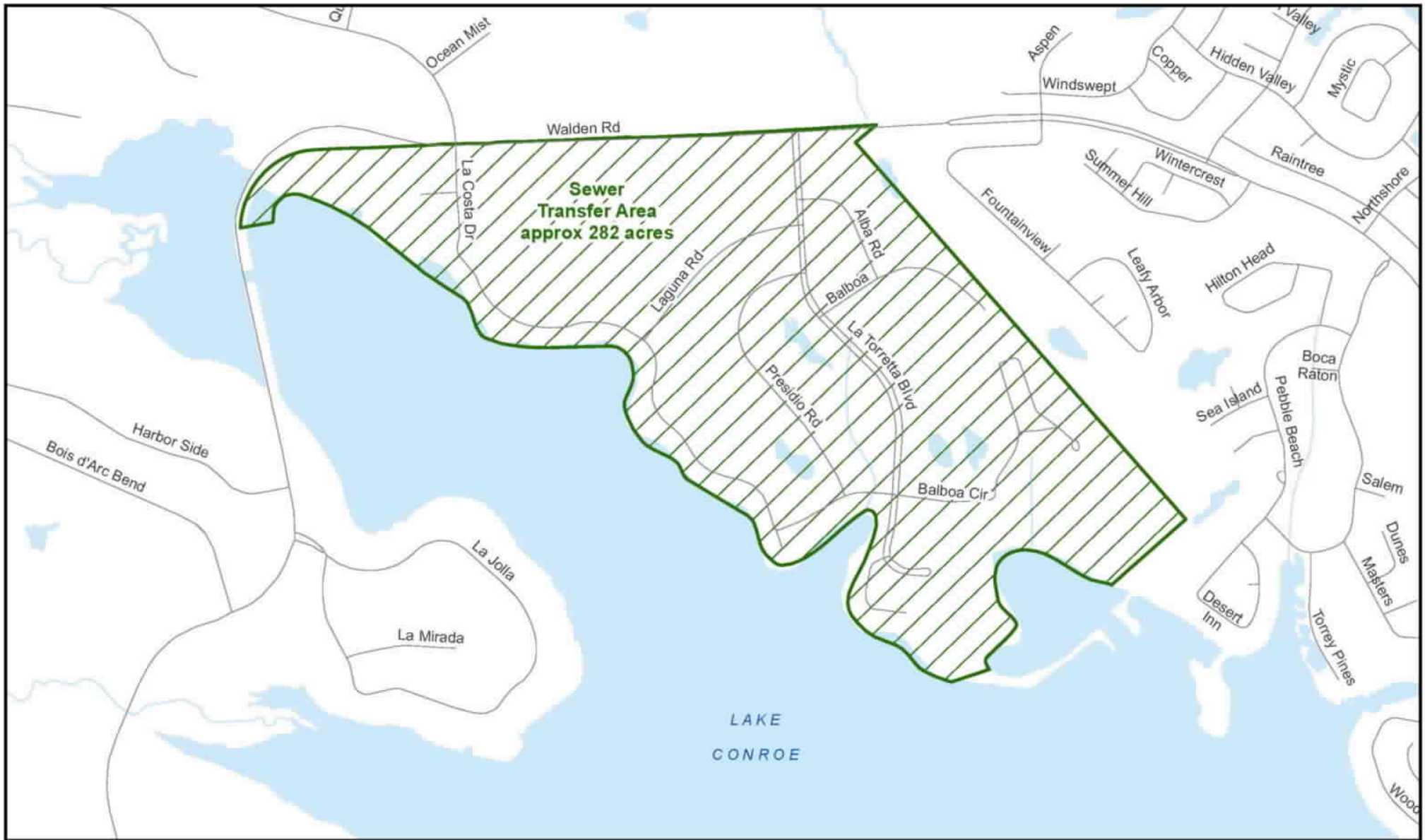
Undine Texas Environmental, LLC  
 Application to Transfer Conroe Resort Utilities, LLC, CCN No. 20638 to Undine Texas Environmental, LLC, CCN No. 20816  
 in Montgomery County

**Requested Sewer Transfer Area**

 CCN 20638 - Conroe Resort Utilities, LLC - approx 282 acres

Map by: S. Burt, ASBGI  
 Date: August 8, 2022  
 Base: StratMapTransv2

Project: Conroe Resort General Location Sewer.mxd

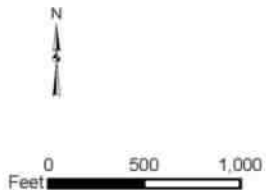


**Detail Map - Sewer**

Undine Texas Environmental, LLC  
 Application to Transfer Conroe Resort Utilities, LLC, CCN No. 20638 to Undine Texas Environmental, LLC, CCN No. 20816  
 in Montgomery County

**Requested Sewer Transfer Area**

 CCN 20638 - Conroe Resort Utilities, LLC - approx 282 acres



Map by: S. Burt, ASBGI  
 Date: August 8, 2022  
 Base: StratMapTransv2  
 Project: Conroe Resort Detail Map-Sewer.mxd

**EXHIBIT B**  
**(SUBMITTED CONFIDENTIALLY)**