



## **Filing Receipt**

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**Item Number - 159**

**DOCKET NO. 52797**

<b>APPLICATION OF CONROE RESORT UTILITIES, LLC AND UNDINE DEVELOPMENT, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN MONTGOMERY COUNTY</b>	<b>§ § § § § §</b>	<b>PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**COMMISSION STAFF’S RECOMMENDATION ON REVISED NOTICE**

**I. INTRODUCTION**

On November 8, 2021, Conroe Resort Utilities, LLC (Conroe) and Undine Development, LLC (Undine) (jointly, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in Montgomery County. On August 25, 2022, the application was amended to replace Undine Development, LLC with Undine Texas, LLC (Undine Texas) and Undine Texas Environmental, LLC (Undine Texas Environmental) (collectively, Undine) as the applicants.

On March 31, 2023, the administrative law judge (ALJ) filed Order No. 21, requiring Commission Staff to file a recommendation on the revised notice by April 14, 2023. Therefore, this pleading is timely filed.

**II. RECOMMENDATION ON REVISED NOTICE**

Staff has reviewed the proof of notice provided by Undine and recommends that Undine’s revised notice is sufficient. Specifically, Undine provided an affidavit of notice dated April 6, 2023, and signed by Carey Thomas, Senior Vice President of Undine, showing that Undine’s revised notice explicitly referencing Rate Year 3 of the phase-in water and sewer rates was provided on April 6, 2023, to its current customers, landowners, neighboring utilities, and affected parties, as well as the maps that were attached to the provided notice. Therefore, Staff recommends that the revised notice provided by Undine be deemed sufficient for further processing of this matter.

### III. CONCLUSION

Staff respectfully recommends that the revised notice provided by Undine be deemed sufficient for further processing of this matter.

Dated: April 14, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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### **CERTIFICATE OF SERVICE**

I 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 April 14, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch  
Ian Groetsch