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DOCKET NO. 52797

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

**ORDER NO. 22
FINDING REVISED NOTICE SUFFICIENT, GRANTING INTERVENTION, AND
SOLICITING PROPOSED PROCEDURAL SCHEDULE**

This Order addresses the sufficiency of the revised notice provided by Undine Texas, LLC regarding the application for the sale, transfer, or merger of facilities and certificate rights in Montgomery County. This Order also addresses the need for a proposed procedural schedule for further processing of this docket and the April 13, 2023 motion to intervene filed by Richard Poole.

Notice

On April 12, 2023, the applicants filed the affidavit of Carey Thomas, senior vice president of Undine, attesting that notice, along with maps, was mailed to current customers, landowners, neighboring utilities, and affected parties on April 6, 2023.

On April 14, 2023, Commission Staff filed a recommendation regarding revised notice.

The administrative law judge (ALJ) finds the revised notice sufficient.

Proposed Procedural Schedule

By May 4, 2023, the parties must file a proposed procedural schedule that includes deadlines for motions to intervene, requests for a hearing, and a revised joint motion to admit evidence and proposed order approving the sale and transfer to proceed.

Intervention

On April 13, 2023, Richard Poole filed a motion to intervene in this docket. Mr. Poole presented justiciable interests in the outcome of this proceeding. No party objected to the above-referenced motion. Accordingly, the ALJ grants the motion.

For service of pleadings, the service list in this proceeding is available from the Public Utility Commission of Texas by calling (512) 936-7200 and requesting a copy of the service list in Docket No. 52365. **Service of pleadings is typically governed by 16 Texas Administrative Code (TAC) § 22.74. However, the Commission has issued a Second Order Suspending Rules,¹ which suspended certain service requirements found in 16 TAC § 22.74. Accordingly, a filing party must provide notice by e-mail of any pleading or document filed. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.**

All parties must provide their current address, **e-mail address**, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. The **e-mail addresses**, telephone and fax numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

Filing of pleadings is typically governed by 16 TAC § 22.71. However, the Commission's Second Order Suspending Rules suspended certain filing requirements found in 16 TAC § 22.71. As long as the Second Order Suspending Rules remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website (<https://interchange.puc.texas.gov/filer>) and provide notice, by e-mail, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

¹ *Issues Related the State of Disaster for Coronavirus Disease 2019*. Docket No. 50664, Second Order Suspending Rules (July 16, 2020) (requiring all parties to file any pleading or document with the Commission solely through the Interchange and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission).

Signed at Austin, Texas the 20th day of April 2023.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in cursive script that reads "Katie Moore Marx".

KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE