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DOCKET NO. 52797

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

JOINT PROPOSED PROCEDURAL SCHEDULE

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 April 20, 2023, the administrative law judge (ALJ) filed Order No. 22, requiring parties to file a proposed procedural schedule by May 4, 2023. Therefore, this pleading is timely filed.

II. PROPOSED PROCEDURAL SCHEDULE

Staff attempted to confer with Conroe Resorts on this procedural schedule but was unsuccessful. Nevertheless, Staff, Undine, and the Office of Public Utility Counsel jointly propose the following procedural schedule for further processing of the docket:

Event	Date
Revised Notice complete	April 6, 2023
Deadline for intervention	May 8, 2023 ¹
Deadline for Staff to request a hearing or file a recommendation on the approval of the sale	May 12, 2023

¹ Under 16 Texas Administrative Code (TAC) § 24.239(b), the intervention period shall not be less than 30 days unless good cause is shown. Notice was mailed on April 6, 2023. Therefore, 30 days after February 19, 2023 is May 6, 2023. Under 16 TAC § 22.4(a), if the Commission is not open for business on the date of the deadline, the deadline moves until the end of the next day on which the Commission is open for business. As the Commission will be closed on Saturday, May 6, 2023, the deadline moves to the next business day, Monday, May 8, 2023.

Deadline for parties to file a response to Staff's recommendation on approval of sale	May 15, 2023
Deadline for parties to file a joint motion to admit evidence and proposed order approving sale and allowing transaction to proceed	May 19, 2023
120 day deadline for the Commission to approve the sale or require a hearing	August 4, 2023 ²

III. CONCLUSION

For the reasons detailed above, Staff and Undine respectfully recommend that the proposed procedural schedule be adopted.

² Under 16 TAC § 24.239(a) and (i), the deadline for Commission action is 120 days after the mailing or publication of notice, whichever occurs later. One hundred and twenty days after April 6, 2023 is August 4, 2023.

Dated: May 4, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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UNDINE TEXAS, LLC

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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 May 4, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch

Ian Groetsch