



Filing Receipt

Filing Date - 2023-06-15 02:55:09 PM

Control Number - 52797

Item Number - 259

DOCKET NO. 52797

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

**APPLICANTS' SECOND SUPPLEMENTAL RESPONSE TO ORDER NO. 27
REQUIRING SUPPLEMENTAL INFORMATION, RECOMMENDATION FROM
COMMISSION STAFF, MOTION TO ADMIT THE ADDITIONAL INFORMATION,
AND EXTENDING DEADLINE**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:


COMES NOW, Applicants Undine Texas, LLC and Undine Texas Environmental, LLC (“Undine”) and file their Second Supplemental Response to ALJ’s Order No. 27 Requiring Supplemental Information, Recommendation from Commission Staff, Motion to Admit the Additional Information, and Extending Deadline. On June 8, 2023, Applicants filed at Docket Id. No. 52797-256 their Response to ALJ Order No. 27 with Affidavit of Vance Tillman (Exhibit A) attesting there is one owner of a tract of land that is at least 25 acres included in the area proposed to be certified, Margaritaville Resort Lake Conroe. On June 13, 2023, Applicants filed at Docket Id. No. 52797-258 a Supplemental response attaching a map (Exhibit B) identifying that tract of land. Applicants file this Second Supplemental response with the attached Confidential Exhibit “C” Capital Improvement Plan and the Confidential Exhibit “D”, Undine’s Loan Documentation. Exhibit “D” is **submitted as highly sensitive subject to the protective order issued in this matter pursuant to Order No. 1.**

Undine asserts that the information contained in Exhibit “D” is exempt from disclosure pursuant to the Public Information Act based on Section 552.110(c) of the Act because disclosure

of the information, comprising sensitive commercial and financial information, would cause substantial competitive harm to Undine. The attorneys for Undine Texas, LLC have reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act and merits the Protected Materials designation under the Protective Order issued in Docket No. 52797. Undine further asserts that this material is of such a highly sensitive nature that making copies of such documents or information or providing access to such documents to employees of the Reviewing Party (as defined in the Protective Order) would expose a producing party to unreasonable risk of harm.

Respectfully submitted,

Gregg Law PC

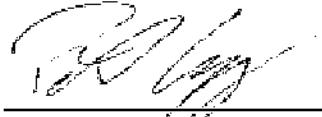


Peter T. Gregg
State Bar No. 00784174
910 West Ave., No. 3
Austin, Texas 78701
Phone: 512-522-0702
Fax: 512-727-6070
pgregg@gregglawpc.com

Attorneys for Applicant

DOCKET NO. 52797
CERTIFICATE OF SERVICE

The undersigned hereby certifies 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 June 15, 2023 in accordance with the Order Suspending Rules issued in Project No. 50664.



Peter T. Gregg