



Filing Receipt

Filing Date - 2023-07-24 09:17:59 AM

Control Number - 52797

Item Number - 277

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**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**

SOAH ORDER NO. 1

1. **Case Description.**¹ On November 8, 2021, Conroe Resort Utilities, LLC, Undine Texas, LLC, and Undine Texas Environmental, LLC, (together Applicants) jointly filed an application for the sale, transfer, or merger of facilities and certificate rights in Montgomery County. On April 13, 2022, intervention was granted to the Office of Public Utility Counsel (OPUC). On July 22 and August 11 and 15, 2022, the applicants supplemented the application. On August 25, 2022, the applicants filed an application amendment. On August 30, 2022, the applicants filed a correction to the application amendment. On September 27, 2022, the Commission ALJ found the application administratively complete (under Commission rules

¹ See Commission Preliminary Order (July 20, 2023) (Commission Interchange filing no. 275).

this is the date of filing). On April 20, 2023, the Commission ALJ found notice, as revised by the applicants, sufficient. The applicants supplemented the amended application on February 21 and April 12, 2023. On May 12, 2023, OPUC requested a hearing before SOAH. This proceeding was referred to SOAH on July 18, 2023. On July 20, 2023, the Commission issued a Preliminary Order, which contained a list of the issues to be addressed in this proceeding.

2. **Prehearing Conference.** A Prehearing Conference will be held at **9:00 AM (CT) on August 25, 2023**, remotely via Zoom videoconference. 1 Tex. Admin. Code § 155.405(c). The audio portion of the hearing will be recorded, and it will be the official record of the proceeding. Attend the hearing in one of these ways:

To join by computer or smart device, go to

<https://soah-texas.zoomgov.com> and enter:

Meeting ID: 161 700 9069

Video Passcode: PUC621

To join by telephone (audio only), call

+1 669 254 5252, and enter:

Meeting ID: 161 700 9069

Telephone Passcode: 766914

3. **Prehearing Conference Agenda.** At the prehearing conference, the following matters will be discussed:

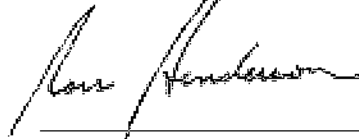
- Pending motions;
- A procedural schedule;
- Whether this matter is appropriate for mediation; and
- Any other matters that may assist in the disposition of this case in a fair and efficient manner.

4. **Procedures.** Any matters not addressed by this order shall be governed by the procedural rules of the Commission.
 - A. **Filings.** The Commission is currently only accepting filings made online through the Commission's Interchange e-file system at <https://interchange.puc.texas.gov/filer>. To make an online filing, the Commission's e-filing system requires you to enter the Commission's control number (ie., docket number), which is 52797 for this case. All filings must contain both the SOAH and Commission docket numbers.
 - B. **Service.** When a party files a document with the Commission, that party is also required to serve (i.e., provide a copy of that document to) every other party. At this time, service must be accomplished by e-mail. Any party to this proceeding who has not previously provided an e-mail address SHALL, no later than seven days after the date of this order, file a notice informing the parties of the e-mail address to be used for service. SOAH's orders must also be provided to, or served on, the parties. Parties will be served with SOAH's orders electronically at the e-mail address they provide. Only one address per party will be included on the official service list maintained by SOAH pursuant to 16 Texas Administrative Code section 22.74(b). Corrections to the service list should be directed to the ALJ's assistant, Mavis Chase, by email at mavis.chase@soah.texas.gov.
 - C. **Motions and Responses to Motions and Pleadings.** All Motions should include a certificate of conference explaining each parties' position on the motion. Unless otherwise specified, responses to any motion or other pleading shall be filed within five working days from receipt of the pleading to which the response is made. Such responsive pleadings shall state the date of receipt of the pleading to which a response is made. Failure to file a timely response may be considered acquiescence to the relief requested.
 - D. **Discovery.** Discovery may commence and shall be governed by the Commission's procedural rules at 16 Texas Administrative Code

chapter 22, subchapter H. All discovery requests and responses shall be filed with the Commission.

Signed July 24, 2023.

ALJ Signature(s):

A handwritten signature in black ink, appearing to read "Ross Henderson", written over a horizontal line.

Ross Henderson,

Presiding Administrative Law Judge