



Filing Receipt

Filing Date - 2024-06-03 12:02:23 PM

Control Number - 52797

Item Number - 299

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

**ORDER NO. 33
REQUIRING COMMISSION STAFF RECOMMENDATIONS
AND CLARIFICATIONS FROM THE PARTIES**

This docket was remanded to the Commission from the State Office of Administrative Hearings (SOAH) on May 3, 2024. After review of the docket, the administrative law judge (ALJ) requires recommendations from Commission Staff as well as clarification from the parties regarding the agreement reached as a result of the mediation at SOAH and rates currently being charged to customers of Conroe Resort Utilities, LLC.

I. REQUIRING COMMISSION STAFF RECOMMENDATIONS

On February 1, 2023, the applicants filed proof that the transaction between Conroe Resort Utilities, LLC and Undine Texas, LLC and Undine Texas Environmental, LLC had closed. No recommendation on the sufficiency of the closing documentation has been filed by Commission Staff.

Additionally, the applicants filed additional proof of notice on June 8, 2023.

On or before June 14, 2024, Commission Staff must file a recommendation on the closing documents as well as the sufficiency of the additional proof of notice, and a motion to have the recommendations admitted into the evidence of this proceeding.

II. REQUIRING CLARIFICATIONS

The ALJ requires the parties to clarify the following issues:

1. Was the agreement reached through SOAH mediation unanimous?
2. Is Undine charging customers the approved rate for Conroe Resort or has Undine started charging rates for water service for Undine Texas approved in Docket No.

50017¹ and rates for sewer for Undine Texas Environmental approved in Docket No. 50018?²

3. If Undine is charging Conroe Resorts customers the rates approved in Docket Nos. 50017 and 50018, is it appropriate for Undine to be doing so before receiving final approval in this docket?

On or before June 24, 2024, the parties must file responses clarifying the above issues.

III. REQUIRING PROPOSED FINAL ORDER

As stated above, Undine and Conroe Resorts have already completed the transaction for which they request approval in this docket. Therefore, a decision by the Commission on the approval of the sale and transfer to proceed is no longer necessary. By June 24, 2024, Commission Staff and the applicants must file a proposed final order for this docket.

Signed at Austin, Texas the 3rd day of June 2024.

PUBLIC UTILITY COMMISSION OF TEXAS



**KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE**

Q:\CADM\Docket Management\Water\STM\52XXX\52797-33 req_rec_clarification.docx

¹ *Application of Pure Utilities, LC and Undine Texas, LLC for Sale, Transfer, or Merger of Water Facilities and Certificate Rights in Liberty, Polk, San Jacinto, and Tyler Counties, and to Decertify A Port Of Pure Utilities, LC's Certificated Area and to Amend Uncertificated Water Service Area in Liberty And Polk Counties*, Docket No. 50017, Notice of Approval (Mar. 4, 2021).

² *Application of Pure Utilities, LC And Undine Texas Environmental, LLC for Sale, Transfer, or Merger of Sewer Facilities and Certificate Rights and to Decertify a Portion of Pure Utilities, LC's Certificated Area, and to Amend Uncertificated Sewer Service Area in Polk County*, Docket No. 50018, Notice of Approval (Mar. 12, 2021).