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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 REQUEST FOR REFERRAL TO THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

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. Undine seek approval to acquire facilities and to transfer all of Conroe’s water and sewer service area under water CCN No. 11942 and sewer CCN No. 20638 to Undine. The application reflects a requested area of 282 acres, 294 water customer connections, and 289 sewer customer connections. Applicants filed supplemental information on November 9, 2021.

On March 28, 2022, the administrative law judge filed Order No. 6, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to request a hearing or file a recommendation on the approval of the sale and on the certificate of convenience and necessity amendments by April 14, 2022. Therefore, this pleading is timely filed.

I. JOINT REQUEST FOR REFERRAL

As Staff has identified certain issues with the application that warrant further examination, Staff cannot file a recommendation at this time. OPUC has also identified issues that warrant further examination. Accordingly, Staff and the Office of Public Utility Counsel (OPUC) jointly request that this matter be referred to the State Office of Administrative Hearings for a hearing on the merits.

II. CONCLUSION

Staff respectfully request entry of an order consistent with this pleading.

Dated: April 14, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 April 14, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch

Ian Groetsch