



## Filing Receipt

**Received - 2023-03-10 02:52:02 PM**  
**Control Number - 52852**  
**ItemNumber - 114**

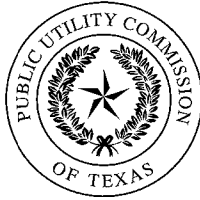
**Peter M. Lake**  
Chairman

**Will McAdams**  
Commissioner

**Lori Cobos**  
Commissioner

**Jimmy Glotfelty**  
Commissioner

**Kathleen Jackson**  
Commissioner



**Greg Abbott**  
Governor

**Thomas J. Gleeson**  
Executive Director

## *Public Utility Commission of Texas*

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3/10/2023

Mr. Chris Lanzi  
PO Box 475  
Ponder TX 76259

RE: Complaint # CP2023021274

Dear Mr. Lanzi:

The Customer Protection Division received your comments regarding the proposed purchase of Terra Southwest by Undine through a sale, transfer or merger. You oppose the purchase and asked for the Public Utility Commission of Texas to review the acquisition and proposed rates.

The Commission is currently reviewing the purchase in Docket No. 52852. The Customer Protection Division recommends for you to file your comments in the docket using the Commission's Interchange Filer found at the following link:

<https://www.puc.texas.gov/industry/filings/default.aspx>

Instructions on how to use the Interchange Filer are found at the link; however, please know that the Control Number is the Docket Number for the case. In lieu of using the Interchange Filer, you may also submit your comments through our Central Records Division using the following mailing address and include the Docket Number in your comments:

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

Thank you for the opportunity to address your concerns. If we can assist you with future utility concerns, please contact us toll free through our Customer Assistance Call Center at 1-888-782-8477.

Sincerely,

Customer Protection Division  
Public Utility Commission of Texas

To: Public Utility Commission of Texas

Hello, I received notice that my current water provider Terra Southwest LLC is requesting to be purchased by Undine Texas LLC. The area in question is East Ponder Estates in Ponder, Texas located in Denton County. I oppose this sale due to the rate increases that are being proposed. The new owner proposed rate for minimum 2000 gallons is increasing by 80% from 32.93 to 55.75 monthly rate for 2000 gallons of water. This is an absurd amount of an increase for basic minimum service for water. I ask that the PUB to review and debate the proposed sale of this water provider and the customer rate they are proposing to charge its customers. There has to be some oversight or law that restricts this type of major cost increase at one time to the consumer. See attached additional information. Thank you for your time.

Sincerely,

Chris Lanzi

7009 H. Lively Rd  
Ponder, TX 76259  
940-465-6181  
Nascar82577@yahoo.com

***Notice to Current Customers, Landowners, Neighboring Systems, and Cities***

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO AMEND ITS CCN, TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11608 FROM TERRA SOUTHWEST, INC. IN DENTON COUNTY, TEXAS

To: **Current Customers, Landowners, Neighboring Systems, and Cities**

Date Notice Mailed: February 10, 2023

Undine Texas, LLC	17681 Telge Road	Cypress, TX	77429
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend its CCN, obtain dual certification with the Town of Little Elm's water CCN No. 11202, and to purchase all of the water facilities and to transfer water certificated service area under CCN No. 11608 in Denton County, TX from:

Terra Southwest, Inc.	P.O. Box 140	Alvord, TX	76225
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

East Ponder Estates and Hilltown Addition.

The requested area overlaps the district boundaries of the Upper Trinity Regional Water District. If Upper Trinity Regional Water District does not request a public hearing, the Commission shall determine that the district is consenting to the Undine Texas, LLC's request to provide retail water utility service in the requested area.

**East Ponder Estates:**

The requested area includes 109 current customers, is located approximately 8 mile(s) southwest of downtown Denton, Texas, and is generally bounded on the north by H Lively Road; on the east by Ed Robson Boulevard; on the south by a line approximately .25 mile south of Seaborn Road; and on the west by Florance Road.

The requested area includes approximately 453 acres, comprised of 453 acres of transferred area from Terra Southwest, Inc. (CCN No. 11608).

**Hilltown Addition:**

The requested area includes 758 current customers, is located approximately 9 mile(s) east-southeast of downtown Denton, Texas, and is generally bounded on the north by Martingale Trail and Shahan Prairie Road; on the east by Shahan Prairie Road and Lewisville Lake; on the south by Lewisville Lake and FM 710 and on the west by Lewisville Lake and Yacht Club Road.

The requested area includes approximately 886.4 acres, comprised of:

0.4 acres of uncertificated area;

868 acres of transferred area from Terra Southwest, Inc. (CCN No. 11608); and

18 acres of dual certificated area with Town of Little Elm (CCN No. 11202).

The result of the application will be the addition of approximately 1,339.4 acres to Undine Texas, LLC (CCN No. 13260) and the subtraction of approximately 1,321 acres from Terra Southwest, Inc. (CCN No. 11608).

Approximately 1,321.4 acres will be single certification with Undine Texas, LLC (CCN No. 13260); and 18 acres will be dual certification between Undine Texas, LLC (CCN No. 13260) and the Town of Little Elm (CCN No. 11202).

**See enclosed map showing the requested area.**

The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Texas, LLC (in tariff as Rate Year 3 effective August 1, 2022), which are higher than the current rate for a 5/8" meter for Terra Southwest, Inc. To view a copy of the current approved tariff, go to: <https://undinellc.com/wp-content/uploads/Undine-Texas-LLC-Water-Tariff.pdf>

OR email [info@undinellc.com](mailto:info@undinellc.com) or call (713) 574-5953 to request a copy.

**BILLING COMPARISON for a 5/8" meter**

22.82

**Water**

Existing	2,000 gallons: \$	32.93	/mo	New Rate	2,000 gallons: \$	55.75	/mo
Existing	5,000 gallons: \$	37.93	/mo	New Rate	5,000 gallons: \$	62.98	/mo
Existing	10,000 gallons: \$	50.43	/mo	New Rate	10,000 gallons: \$	78.71	/mo

*Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.*

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

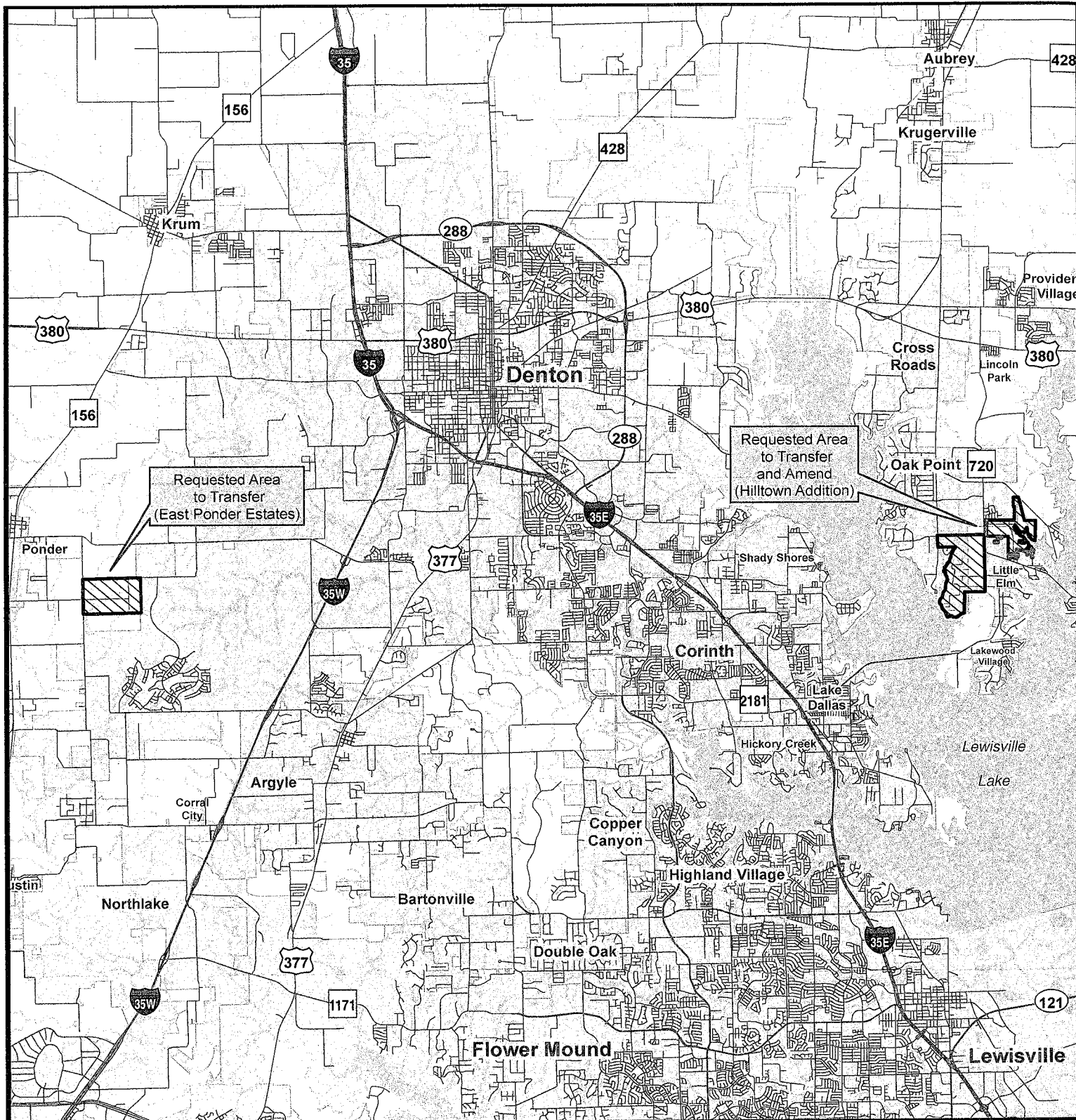
Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

Carey Thomas  
Utility Representative

Undine Texas, LLC  
Utility Name



### General Location - REVISED

Undine Texas, LLC

Application to Transfer Terra Southwest, Inc., CCN No. 11608 to Undine Texas, LLC, CCN No. 13260  
and to Amend CCN to Include Existing Customers and Request Dual Certification with Town of Little Elm, CCN No. 11202  
in Denton County

#### Requested Water Service Area to Transfer and Amend



CCN 11608 - Terra Southwest, Inc



Amend to Add Existing Customers within Hilltown Addition



0 0.5 1 1.5 2 2.5  
Miles

Map by: S. Burt, ASBGi  
Date: March 15, 2021  
Base: TxDOT Roadways 2015  
Project: General Location