

Control Number: 52852



Item Number: 120

**Dorothea Taylor
3660 Amber Rd.
Ponder, TX 76259**

RECEIVED
2023 APR -5 AM 9:47
PUBLIC UTILITY COMMISSION
FILING CLERK

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

Docket 52852

April 1, 2023

Dear Sir/Madam,

I am attaching copies of the letter and notice I got from your commission.

I am not complaining about the sale of the water for our little subdivision. What I have a problem with is the fact that our water bill will now double. I have lived here 24 years and have had to buy drinking water the entire time I have lived here.

The water is just horrible. I had to get a special filter for my shower when I let my hair go gray because the water was turning it orange. The water has also ruined 4 water heaters and 2 washers and 2 dishwashers since we have lived here. I cannot get a refrigerator with a water and ice dispenser since the water is not drinkable.

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We have received forms from them stating there is a high lead content to the water. Also the pipes bringing the water into our street are PVC used for sprinklers not water systems.

We are seniors living on a fixed income and cannot afford to have to pay double for water we can't drink. Thank you for your consideration.

Sincerely,

Dorothea Taylor

Dorothea Taylor

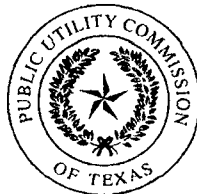
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Chairman

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

3/30/2023

Ms Dorothea Taylor
3660 Amber Rd
Ponder TX 76259

RE: Complaint # CP2023030929

Dear Ms Taylor:

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



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

| | | | |
|--------------------------|-------------------------|--------------------|--------------|
| <u>Undine Texas, LLC</u> | <u>17681 Telge Road</u> | <u>Cypress, TX</u> | <u>77429</u> |
| (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:

| | | | |
|------------------------------|---------------------|-------------------|--------------|
| <u>Terra Southwest, Inc.</u> | <u>P.O. Box 140</u> | <u>Alvord, TX</u> | <u>76225</u> |
| (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 or call (713) 574-5953 to request a copy.

BILLING COMPARISON for a 5/8" meter

Water

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