



## Filing Receipt

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**DOCKET NO. 52852**

<b>APPLICATION OF TERRA</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SOUTHWEST, INC. AND UNDINE</b>	<b>§</b>	
<b>DEVELOPMENT, LLC FOR SALE,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TRANSFER, OR MERGER OF</b>	<b>§</b>	
<b>FACILITIES AND CERTIFICATE</b>	<b>§</b>	
<b>RIGHTS IN DENTON COUNTY</b>		

**COMMISSION STAFF'S CLARIFICATION**

On November 16, 2021, Terra Southwest, Inc. (Terra) and Undine Development, LLC (Undine), (collectively, Applicants), filed an application for approval of the sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in Denton County.

On July 20, 2022, the administrative law judge (ALJ) filed Order No. 12 requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) and Applicants (collectively, Parties) to file a clarification regarding whether a settlement in principle has been reached regarding the issue of proper processing of this docket and docket no. 52797 by July 28, 2022.

**I. CLARIFICATION**

Parties have reached a settlement in principle regarding the issue of proper processing this docket and Docket No. 52797. Staff recently communicated with counsel for Undine and informed counsel that Staff expect to file a pleading with an agreed-upon procedural schedule in Docket No. 52797 very soon. The Parties have also reached an agreement on a procedural schedule in this docket, which is detailed below.

**II. PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule.

Deadline	
Commission Staff's Motion for a Determination of the Sufficiency of Notice and a Determination of Applicable Rates	Fourteen days from the date an order is issued in Docket No. 52797 in response to Staff's Motion for a Determination of the Sufficiency of Notice, a Determination of Applicable Rates, and the Establishment of a Procedural Schedule on an Expedited Basis
Undine's comments on Commission Staff's Motion for a Determination of the Sufficiency	Two working days from the date of the filing of the order determining additional notice is

of Notice and a Determination of Applicable Rates	not required.
Application amendment described in Commission Staff's Motion for a Determination of the Sufficiency of Notice and a Determination of Applicable Rates	Two working days from the date of the filing of Undine's comments in this docket addressed by the preceding deadline.
Commission Staff's final recommendation on approval of the acquisition and CCN amendment	Five working days from the application amendment in this docket addressed by the preceding deadline.

### III. CONCLUSION

For the reasons detailed above, Staff recommend that the proposed procedural schedule be adopted and respectfully requests the entry of an order consistent with this recommendation.

Dated: July 29, 2022

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**DOCKET NO. 52582**

**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 July 29, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch  
Ian Groetsch