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DOCKET NO. 53445

APPLICATION OF UNDINE TEXAS	§	PUBLIC UTILITY COMMISSION
LLC TO AMEND ITS CERTIFICATE	§	
OF CONVENIENCE AND NECESSITY	§	OF TEXAS
IN FORT BEND COUNTY	§	

**APPLICANT’S RESPONSE TO ORDER NO. 16 REQUIRING ADDITIONAL
CLARIFICATION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Applicant Undine Texas, LLC (“Undine”) and files its Response to ALJ Order No. 16 Requiring Additional Clarification. In support thereof the Applicant shows the following:

I.

BACKGROUND

On May 18, 2023, the administrative law judge (ALJ) issued Order No. 16 at Dkt. No. 53445-56, addressing the need for Undine Texas, LLC to supplement the application, for Commission Staff to file a supplemental recommendation, and for the parties to move to admit the additional information into the record. The order also requires Applicant to file additional evidence regarding the capital improvements plan, notice, and mapping. Specifically, the Applicant was ordered to:

- file a capital improvements plan conforming with the Commission’s discussions in Docket Nos. 51646 and 52391 and the requirements in TWC § 13.244(d)(3) or 16 TAC § 24.233(a)(6); and
- file an affidavit that notice has been mailed by first-class mail to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified.

II.

CAPITAL IMPROVEMENTS PLAN

Applicant Undine hereby provides, as Confidential Exhibit "A", setting forth a Capital Improvements Plan pursuant to the requirements of Order No. 16.

III.

NOTICE

Undine also notifies the ALJ that, pursuant to the affidavit of Vance Tillman, attached hereto as Exhibit "B," there are no owners of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified. Accordingly, there was no owner in which to provide notice and therefore no such notice was provided.

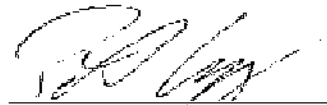
IV.

CONCLUSION

Applicant hereby requests the ALJ consider this supplemental information in satisfaction of Order No. 16.

Respectfully submitted,

Gregg Law PC



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Attorneys for Applicant

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CERTIFICATE OF SERVICE

The undersigned hereby certifies 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 June 15, 2023 in accordance with the Order Suspending Rules issued in Project No. 50664.



Peter T. Gregg

EXHIBIT B

DOCKET NO. 53445

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**AFFIDAVIT OF VANCE TILLMAN IN RESPONSE TO ORDER NO. 16 REQUIRING
ADDITIONAL CLARIFICATION**

STATE OF TEXAS §
 §
COUNTY OF Harris §

BEFORE ME, the undersigned notary, personally appeared Vance Tillman, the affiant, a person who is known to me. After administering an oath, the affiant testified that:


“My name is Vance Tillman. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

I am the Chief Financial Officer of Undine Texas, LLC (Undine), the Applicant in the above-captioned matter.

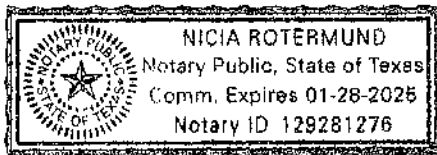
Pursuant to Order No. 16 issued by ALJ in this matter, by June 15, 2023, applicant must supplement their proof of notice by providing an updated affidavit and attachments that the proof of notice provided in this proceeding identifies tracts of land that are at least 25 acres and are wholly or partially in the requested area and who owns those tracts as prescribed under 16 TAC §24.239(e)(1), notice of a sale, transfer, or merger application must be provided to affected customers and other affected parties; and TWC § 13.246(a-1) and 16 TAC § 24.235(b)(2), notice of an application for an amendment to a CCN must be mailed to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified.

There are no owners of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified. Accordingly, there was no owner to which to provide notice and therefore no such notice was provided."

FURTHER AFFIANT SAYETH NOT.


Vance Tillman

SWORN AND SUBSCRIBED TO BEFORE ME by Vance Tillman, Chief Financial Officer of Undine Texas, LLC, on this 13th day of June, 2023.




Notary Public
State of Texas