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Received - 2022-12-20 02:00:51 PM

Control Number - 53630

ItemNumber - 42

DOCKET NO. 53630

APPLICATION OF ORBIT SYSTEMS, INC. AND UNDINE TEXAS ENVIRONMENTAL, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BRAZORIA COUNTY	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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**ORDER NO. 11
REQUIRING CLARIFICATION**

This Order addresses the December 5, 2022 joint motion to admit evidence and proposed order filed by Orbit Systems, Inc., Undine Texas Environmental, LLC and Commission Staff. The administrative law judge (ALJ) requires clarification on the following issues:

1. In the application filed on May 23, 2022, Orbit and Undine requested cancellation of Orbit’s CCN number. However, the joint proposed order does not mention whether Orbit is seeking cancellation of its CCN number. The ALJ requires Orbit to clarify whether it is seeking cancellation of its CCN number 20682.
2. According to no. 18 of the application filed on May 23, 2022, the transferee (Undine) has been under an enforcement action by the Commission, Texas Commission on Environmental Quality, Texas Department of Health, the Office of the Attorney General, or the Environmental Protection Agency. The question provides “[a]ttach copies of any correspondence with the applicable regulatory agency(ies).” The ALJ was unable to locate any correspondence. Further, Commission Staff’s final recommendation does not address this issue. The ALJ requires Undine and Commission Staff to address the enforcement actions, if any, against Undine.
3. In Order No. 4 filed August 10, 2022, the intervention of Tommy Green was granted. In Order No. 9 filed on November 28, 2022, the ALJ granted Commission Staff’s request for extension and required *the parties* to file a joint motion to admit evidence and proposed order approving sale and allowing the transaction to proceed. However, the joint motion to admit evidence and proposed order does not mention that it was filed on Mr. Green’s behalf, nor does it mention whether he is

in agreement with the proposed order. The ALJ requires Orbit, Undine, and Commission Staff to clarify whether Mr. Green was involved with the preparation of the proposed order and approves of the proposed order.

By January 6, 2023, the parties must provide clarifications as requested by the ALJ.

Signed at Austin, Texas the 20th day of December 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink that reads "Christina Denmark". The signature is written in a cursive style with a long horizontal flourish extending to the right.

**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**