



## **Filing Receipt**

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**Control Number - 53630**

**Item Number - 82**

**DOCKET NO. 53630**

<b>APPLICATION OF ORBIT SYSTEMS, INC. AND UNDINE TEXAS ENVIRONMENTAL, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BRAZORIA COUNTY</b>	<b>§ § § § § §</b>	<b>PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**APPLICANT’S AND COMMISSION STAFF’S JOINT RESPONSE TO ORDER NO. 21  
REQUIRING CLARIFICATION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COME NOW, Applicant Undine Texas Environmental, LLC (for itself and on behalf of Orbit Systems, Inc.) (“Applicant”) and Commission Staff collectively, (“The Parties”) and file this Response to ALJ Order No. 21 Requiring Clarification.

Pursuant to Order No. 21, the ALJ required that the Applicant and Commission Staff clarify:

- (1) whether Tommy Green was involved with the preparation of the joint motion to admit evidence and proposed order approving the sale and transfer to proceed;
- (2) whether Mr. Green was given a copy of the joint motion to admit evidence and proposed order to review prior to the filing of the same; and
- (3) the date the draft proposed order was sent to Mr. Green.

The Applicant and Commission Staff respond that Mr. Green was not involved with the preparation of the joint motion to admit evidence and proposed order; Mr. Green was not given a copy of the joint motion and proposed order for review prior to the filing of the pleading; and the proposed pleading was sent to Mr. Green on June 28, 2023, with Mr. Green confirming receipt of the pleading.

Pursuant to the Applicant's outreach to Mr. Green on June 28, 2023, Mr. Green confirmed that he would not participate in the joint motion to admit evidence and proposed order approving the sale and transfer to proceed, based on his ongoing concerns regarding the increase in rates proposed in the application. Understanding that Mr. Green will not participate in the joint motion to admit evidence and proposed order, the Applicant and Commission Staff request that the ALJ accept the previously filed joint motion and proposed order as a motion filed by the Applicant and Commission Staff with Mr. Green's position on the joint motion as set forth herein. The Applicant and Commission Staff request that the ALJ proceed with the prosecution of this docket based on that motion as jointly submitted by the Applicant and Staff.

Respectfully submitted,

**Gregg Law PC**



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**CERTIFICATE OF SERVICE**

I certify by my signature above that unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record on July 7, 2023 in accordance with the Order Suspending Rules filed in Project No. 50664.