



## Filing Receipt

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**DOCKET NO. 53630**

<b>APPLICATION OF ORBIT SYSTEMS, INC. AND UNDINE TEXAS, 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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**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS AND NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

On May 23, 2022, Undine Texas, LLC (Undine) and Orbit Systems, Inc. (Orbit) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Brazoria County. The Applicants filed supplemental information on May 25, 2022.

On May 25, 2022, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of June 20, 2022,<sup>1</sup> for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the application and proposed notice and to propose a procedural schedule for the further processing of this docket. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Ethan Blanchard of the Rate Regulation Division, Staff recommends that the application is administratively incomplete from a financial perspective. Staff further recommends that the Applicants be ordered to cure the deficiencies identified in Mr. Blanchard’s memorandum by July 6, 2022, and that Staff be given a deadline of July 20, 2022, to file a supplemental recommendation on the administrative completeness of the application.

**II. PROCEDURAL SCHEDULE**

In accordance with Staff’s deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff intends to propose a procedural

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<sup>1</sup> Under 16 Texas Administrative Code § 22.4(a), if the Commission is closed for business on a given day, the designated period runs until the end of the next day on which the Commission is open for business. The Commission was closed on Monday, June 20, 2022. Therefore, the deadline is Tuesday, June 21, 2022, the next day the Commission is open for business.

schedule alongside a subsequent recommendation that the application be found administratively complete. Staff notes that the Applicants should not issue notice until the application is deemed sufficient.

### III. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively incomplete, that the Applicants be ordered to file supplemental information to cure the deficiencies in the application by July 6, 2022, and that Staff be given a deadline of July 20, 2022, to file a supplemental recommendation on the administrative completeness of the application. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: June 21, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**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 June 21, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch  
Ian Groetsch

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Forrest Smith  
Legal Division

**FROM:** Ethan Blanchard  
Kathryn Eiland  
Rate Regulation Division

**DATE:** June 20, 2022

**RE:** Docket No. 53630 – *Application of Orbit Systems, Inc. and Undine Texas, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Brazoria County*

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On May 23, 2022, Undine Texas Environmental, LLC (Undine), CCN No. 20816, and Orbit Systems, Inc., CCN No. 20682, filed an application for the sale and transfer of facilities and certificate rights in Brazoria County under the provisions of Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.239.

We reviewed the answers provided to questions 4, 10, 11, 12, and 14 of the application and recommend the application be deemed administratively incomplete, and that Undine be required to provide the following information to cure the deficiency:

1. A copy of the current tariff for Orbit Systems, Inc. in response to question 4.