



Control Number: 53765



Item Number: 211

RECEIVED

2022 DEC 20 AM 11:58

PUBLIC UTILITY COMMISSION
FILING CLERK

Docket # 53765

RatePayer Protest

**In Regards To Undine Texas, LLC's Acquisition of Crystal Systems
Texas, Inc's Service For Hideaway, Texas.**

Mail To:

**Public Utility Commission of Texas
Central Records; Attn: Filing Clerk
1701 N. Congress Avenue; P.O. Box 13326
Austin, TX 78711-3326**

Or Submit Online:

Web Address: <https://interchange.puc.texas.gov/filer/controlnumber/>

Control Number: 53765

**Enter Your Contact Information; Enter Your Name as Filing
Party; Select "Pleadings" From Pulldown Menu;**

Upload This Completed Form As A Word Document.

Ratepayer Information:

Name: Larry & Wanda Stanford

Address: 1801 Oak Ridge St./Hideaway, TX 75771

Phone Number: 903-521-0371

I, a ratepayer currently of Crystal Systems, Inc. in Hideaway Texas, hereby enter the following protests in regards to the proposed acquisition of Crystal Systems Texas, Inc service area in Hideaway, Texas by Undine Texas, LLC.

211

During the first two weeks of December, ratepayers in Hideaway Texas were notified of the proposed acquisition, with a stated mailing date of December 2, 2022. The Notice's stated link to Undine's current approved tariff was an invalid link, depriving me of timely information.

I request that Undine Texas LLC send a corrected **Notice to Current Customers, Landowners, Neighboring Systems, and Cities** to all ratepayers and that the 30 day intervention period start from the **Date Notice Mailed** of the corrected Notice.

Subsequent research by the City of Hideaway found online in the **Application for Sale, Transfer, or Merger of a Retail Public Utility; Section 15**, Undine Texas states "rates will change to match those currently affected by the tariff enacted by Docket No. 50017 for CCN 13260." This tariff would result in a rate increase without any confirmed improvements or substantial changes in operation.

I am protesting this rate increase and request that if the acquisition is completed, that Undine Texas' water tariffs for our service area be restricted to the existing approved Crystal Systems Texas' water tariffs, under the City of Hideaway Ordinance 31-11-06-05.

I also request that the City of Hideaway retain the authority to set or approve the water tariff of any systems operator operating in the City of Hideaway, as they have done with Crystal Systems, Inc; as evidenced by the existing water tariff being established under the City of Hideaway Ordinance 31-11-06-05.

Notice to Current Customers, Landowners, Neighboring Systems, and Cities
UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO AMEND UNCERTIFICATED AREA AND PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 10804 FROM CRYSTAL SYSTEMS TEXAS, INC. IN SMITH COUNTY, TEXAS

To: ***Notice to Current Customers, Landowners, Neighboring Systems, and Cities***

Date Notice Mailed: December 2, 2022

<u>Undine Texas, LLC</u>	<u>17681 Telge Road</u>	<u>Cypress, TX</u>	<u>77429</u>
(Purchaser's Name)	(Address)	(City). (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend uncertificated area to CCN No. 13260 and to purchase all of the water facilities and to transfer water certificated service area under CCN No. 10804, in Smith County, TX from:

<u>Crystal Systems Texas, Inc.</u>	<u>P.O. Box 1084</u>	<u>Tyler, TX</u>	<u>75710</u>
(Seller's Name)	(Address)	(City). (State)	(Zip Code)

The requested area overlaps the district boundaries of Sabine River Authority and Upper Sabine Valley SWMD. If these districts do not request a public hearing, the Commission shall determine that the district is consenting to the Undine Texas, LLC's request to provide retail water utility service in the requested area.

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following:

The requested area includes 2,234 customer connections, is located within and surrounding downtown City of Hideaway, Texas, and is generally bounded on the north by County Road 477 (John R. Bowdoin Road); on the east by County Road 411; on the south by County Road 46 (Old New Harmony Road); and on the west by County Road 411.

The requested area includes approximately 10,528 acres, comprised of:

- 288 acres of uncertificated area;
- 10,240 acres of transferred area from CCN No. 10804.

The application proposes the subtraction of approximately 10,240 acres from CCN No. 10804 and the addition of approximately 10,528 acres to CCN No. 13260.

See enclosed maps showing the requested area.

The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Texas, LLC, which are higher than the current rate for a 5/8" meter for Crystal Systems Texas, Inc. To view a copy of the current approved tariff, go to: <https://undinellc.com/Tariff/Undine%20Development%20Water%20Tariff.pdf>

OR email info@undinellc.com or call (713) 574-5953 to request a copy.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the uncertificated requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

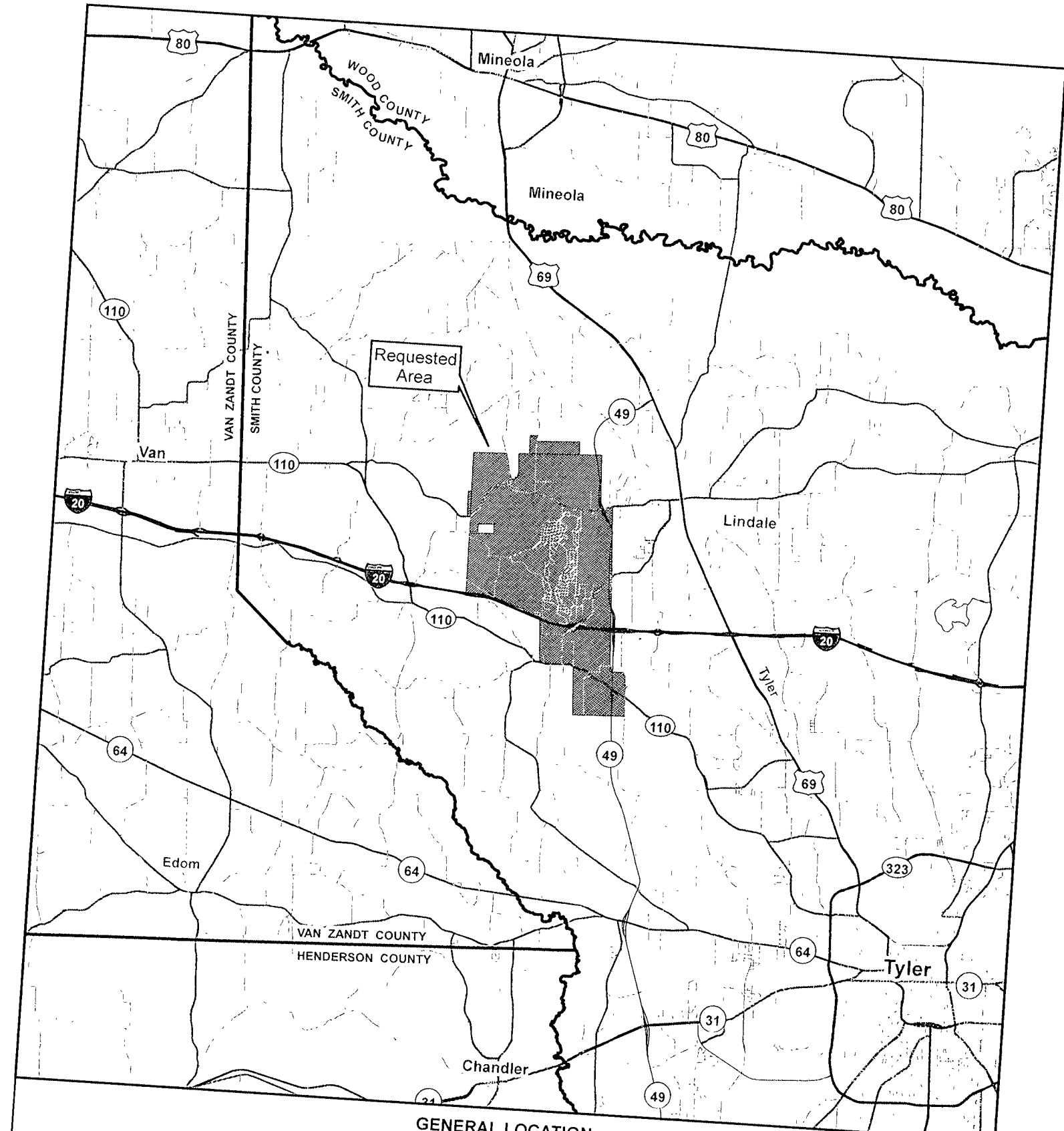
Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

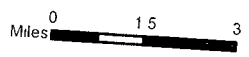
Carey Thomas
Utility Representative

Undine Texas, LLC
Utility Name



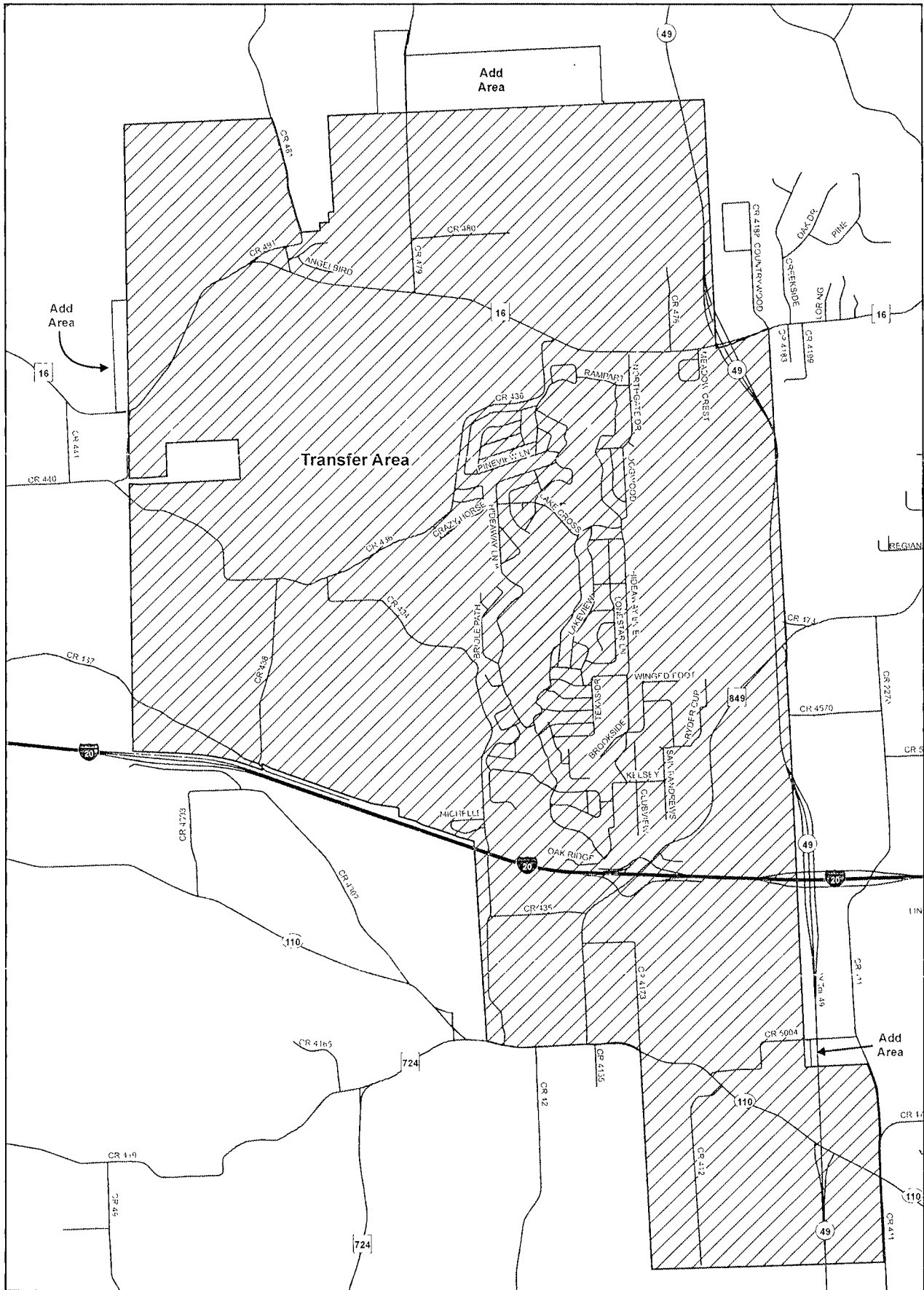
GENERAL LOCATION

Undine Texas, LLC
 Application to Transfer Crystal Systems Texas, Inc , CCN No. 10804 to Undine Texas, LLC, CCN No 13260
 and to Amend CCN in Smith County



	CCN 10804-Crystal Systems Inc Transfer Area
	Water Amendment Areas

Map by S Burt, ASBGI
 Date October 5, 2022
 Base TxDOT Roadways 2019
 Project General Location Crystal Systems STM mxd



DETAIL MAP

Undine Texas LLC

Application to Transfer Crystal Systems Texas Inc. CCN No 10804 to Undine Texas LLC. CCN No 13260 and to Amend CCN in Smith County



0 1,250 2,500
Feet

- CCN 10804-Crystal Systems Inc Transfer Area
- Water Amendment Areas -approx 288 acres

Map by S Burt ASBGI
Data October 5, 2022
Base TxDOT Roadways 2019
Project Detail Map Crystal Systems STM mxd