



## **Filing Receipt**

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**Control Number - 53765**

**Item Number - 436**

**DOCKET NO. 53765**

<b>APPLICATION OF CRYSTAL</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SYSTEMS TEXAS, LLC, AND UNDINE</b>	<b>§</b>	
<b>TEXAS, LLC FOR SALE, TRANSFER,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OR MERGER OF FACILITIES AND</b>	<b>§</b>	
<b>CERTIFICATE RIGHTS IN SMITH</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

**UNDINE STATEMENT OF POSITION**

Undine submitted this STM application on July 1, 2022 (Docket Id. No. 53765-1). On August 31, 2023, the parties submitted a Joint Motion and Proposed Order (Docket Id. No. 53765-424). On September 19, 2023, the ALJ issued Order No. 18 Requiring Clarification and Briefing. Undine filed its response to Order No. 18 on September 25 and Staff filed its response on October 17, 2023 (Docket Id. Nos. 427-428 and 429, respectively). On November 14, the ALJ issued Order No. 20 requiring (1) that Commission Staff file another recommendation on the application, indicating specifically whether there is any change to its recommendation on the transaction; and (2) that the parties file a supplemental motion to admit evidence. Commission Staff filed its response to Order No. 20 on November 29 (Docket Id. No. 433); Undine filed its response to Staff's filing immediately thereafter (Docket Id. No. 434). Subsequently, the parties filed the joint motion to admit supplemental evidence pursuant to Order No. 20 on December 4 (Docket Id. No. 435).

Undine files this pleading to note in the docket its extreme desire and need to conclude this transaction, if possible, before the end of the calendar year. Undine has already paid substantial monetary penalties to the seller due to the failure to timely close the transaction, and both Undine and the buyer have otherwise suffered significant monetary consequences due to the delay. It is Undine's understanding that it has satisfied all existing and potential inquiries on the application and that it has satisfied all necessary prerequisites for authorization to close the transaction. Undine urges whatever consideration can be offered by the ALJ in accommodating the issuance of an order approving the parties to close the transaction, to the extent appropriate, prior to the conclusion of the year.

Dated: December 18, 2023.

Respectfully submitted,

**Gregg Law PC**



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**Attorneys for Undine Texas, LLC**

**DOCKET NO. 53765**

**CERTIFICATE OF SERVICE**

I certify pursuant to the above signature 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 December 18, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.