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APPLICATION OF UNDINE TEXAS, LLC AND NITSCH AND SON UTILITY COMPANY, INC. FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN HARRIS COUNTY PUBLIC UTILITY COMMISSION

**OF TEXAS** 

## ORDER NO. 2 FINDING APPLICATION INCOMPLETE AND DEFICIENT AND ESTABLISHING AN OPPORTUNITY TO CURE

This Order addresses the sufficiency of the July 14, 2022 application of Undine Texas, LLC and Nitsch and Son Utility Company, Inc. for sale, transfer, or merger of facilities and certificate rights in Harris County.

On August 15, 2022, Commission Staff filed a recommendation on administrative completeness.

The administrative law judge (ALJ) finds the application administratively incomplete and deficient. Under 16 Texas Administrative Code § 24.8(d), the Commission does not consider an application filed until it makes a determination that the application is administratively complete. Thus, at this time the application is not considered filed with the Commission.

On or before September 15, 2022, the applicants must supplement the application to cure the deficiencies as described in the August 15, 2022 memorandums attached to Commission Staff's recommendation. Until the Commission receives and reviews the supplemental information, the application cannot proceed. The applicants must not issue notice until the application is deemed administratively complete.

On or before October 14, 2022, Commission Staff must file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate.

Signed at Austin, Texas the 17th day of August 2022.

## PUBLIC UTILITY COMMISSION OF TEXAS

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JEFFREY J. HUHN ADMINISTRATIVE LAW JUDGE

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