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Item Number - 43

DOCKET NO. 53827

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

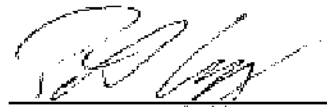
**APPLICANT'S RESPONSE TO ORDER NO. 11 FINDING APPLICATION
ADMINISTRATIVELY COMPLETE, REQUIRING NOTICE, AND ESTABLISHING A
PROCEDURAL SCHEDULE**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Applicant Undine Texas, LLC ("Undine") and files its Response to ALJ Order No. 11 Finding Application Administratively Complete, Requiring Notice, and Establishing a Procedural Schedule at Docket Id. No. 53827-40 in the above-referenced matter. Applicant hereby provides, as Exhibit "A", Undine's Mailing Affidavit, Notice of Mailing, Notice for Publication, Landowner Affidavit, and Publication Documents, and, as Confidential Exhibit "B," Undine's Mailing List.

Respectfully submitted,

Gregg Law PC



Peter T. Gregg
State Bar No. 00784174
910 West Ave., No. 3
Austin, Texas 78701
Phone: 512-522-0702
Fax: 512-727-6070
pgregg@gregglawpc.com

Attorneys for Applicant

DOCKET NO. 53827

CERTIFICATE OF SERVICE

The undersigned hereby certifies 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 22, 2023 in accordance with the Order Suspending Rules issued in Project No. 50664.



Peter T. Gregg

EXHIBIT A

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO LANDOWNERS DOCKET NO. 53827

STATE OF TEXAS
COUNTY OF Harris

Undine Texas, LLC has

- ☒ Determined that there are no landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area.
- ☐ Provided individual notice to the following landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area:

DATE OF NOTICE

OATH

I, Vance Tillman, being duly sworn, file this form as Chief Financial Officer (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set forth therein are true and correct.

Vance Tillman
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

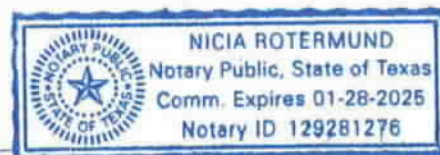
Subscribed and sworn to before me this 20th day of June, 2023
to certify which witness my hand and seal of office.

Nicia Rotermund
Notary Public in and for the State of Texas

Nicia Rotermund
Print or Type Name of Notary Public

Commission Expires January 28, 2025

Notice Form Updated: May 22, 2023



PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, LANDOWNERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 53827

STATE OF TEXAS
COUNTY OF Harris

Undine Texas, LLC has provided individual
notice to the following entities and customers:

Current Customers, Landowners,
Neighboring Utilities, and Affected
Parties

DATE OF NOTICE
May 17, 2023

OATH

I, Carey Thomas, being duly sworn, file this form as
Senior Vice President (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Carey A. Thomas
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 24th day of May, 2023
to certify which witness my hand and seal of office.

Nicia Botermund
Notary Public in and for the State of Texas

Nicia Botermund
Print or Type Name of Notary Public

Commission Expires January 28, 2025



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 TO CCN NO. 13260 AND PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11124 FROM NITSCH & SON UTILITY COMPANY, INC. IN HARRIS COUNTY, TEXAS

To: ***Current Customers, Landowners, Neighboring Systems, and Cities***
Date Notice Mailed: May 17, 2023

Undine Texas, LLC	17681 Telge Road	Cypress, TX	77429
(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. 11124, in Harris County, TX from:

Nitsch & Son Utility Company, Inc.	8131 Northline Drive	Houston, TX	77037
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The requested area overlaps the district boundaries of:

- *Airline Improvement District*
- *Coastal Water Authority*
- *Gulf Coast Authority*
- *Harris County Flood Control District (FCD)*
- *Port of Houston Authority*

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 subdivisions:
Bellmar, Bellmar Estates, Bellmar Terrace, Durkee Manor, Assumption Heights, Airline Village, and Meadowland

The requested area includes 710 customer connections, is located approximately 7.9 mile(s) north of downtown Houston, Texas, and is generally bounded on the north by Gulf Bank Road; on the east by Airline Drive; on the south by Little York Road; and on the west by Berwyn Drive.

The requested area includes approximately 322 acres, comprised of:

- 47 acres of uncertificated area;
- 275 acres of transferred area from Nitsch & Son Utility (CCN No. 11124) to Undine Texas, LLC (CCN No. 13260).

The application proposes the subtraction of approximately 275 acres from CCN No. 11124 and the addition of approximately 322 acres to CCN No. 13260.

A copy of the maps showing the requested area are available at: 17681 Telge Road, Cypress, Texas 77429

The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Texas, LLC (in tariff as Rate Year 3, effective August 1, 2022), which are higher than the current rate for a 5/8" meter for Nitsch & Son Utility Company, Inc. To view a copy of the current approved tariff and the rates Undine is requesting, go to page 9 of the tariff: <https://undinelc.com/wp-content/uploads/Undine-Texas-LLC-Water-Tariff.pdf> or email info@undinelc.com or call (713) 574-5953 to request a copy.

BILLING COMPARISON of an estimated water bill for a 5/8" meter

Existing	2,000 gallons: \$	<u>24.00</u>	/mo	New Rate	2,000 gallons: \$	<u>55.75</u>	/mo
Existing	5,000 gallons: \$	<u>30.00</u>	/mo	New Rate	5,000 gallons: \$	<u>62.98</u>	/mo
Existing	10,000 gallons: \$	<u>40.00</u>	/mo	New Rate	10,000 gallons: \$	<u>78.71</u>	/mo

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:

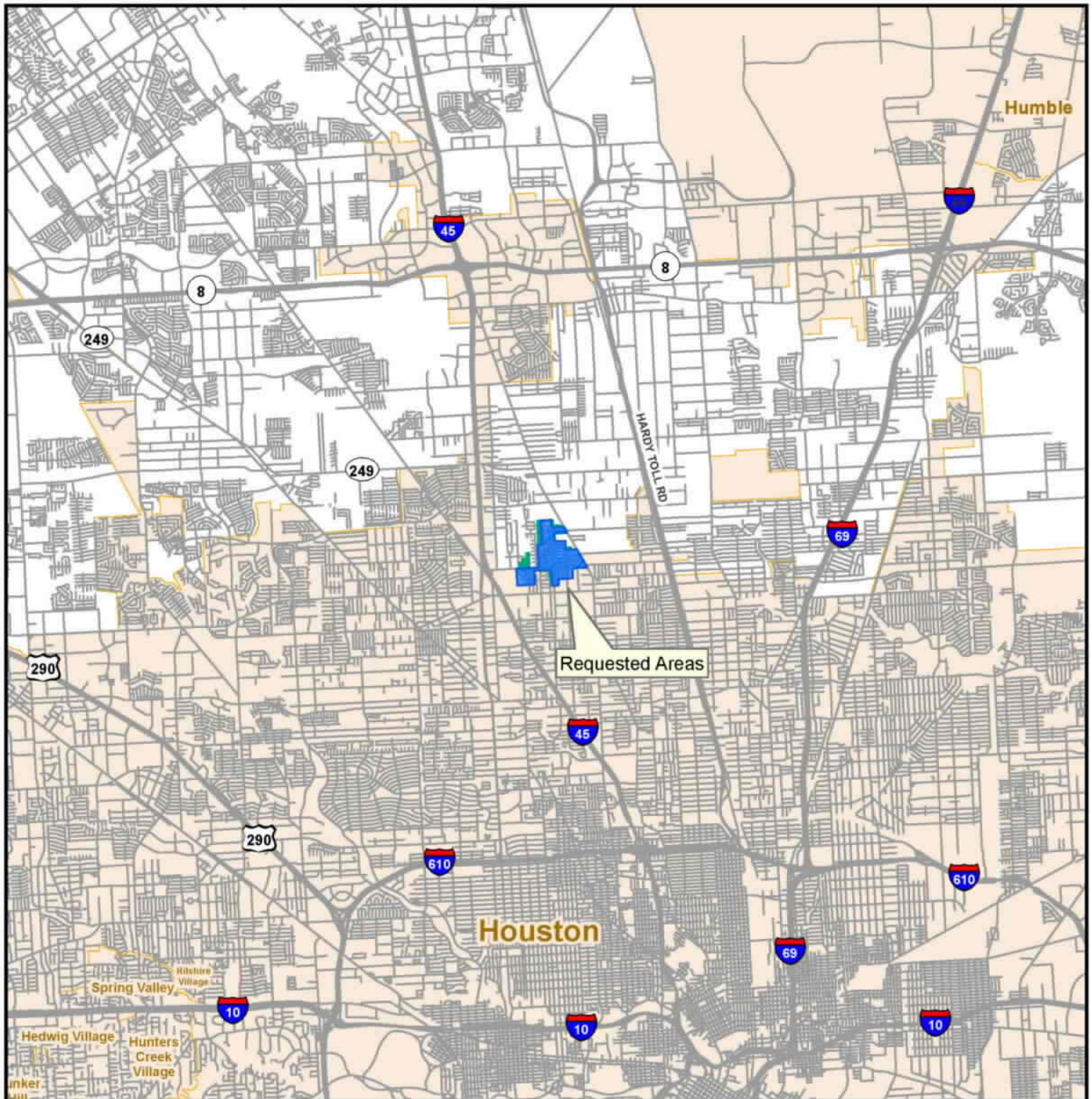
Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

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



Water General Location

Undine Texas, LLC

Application to Transfer All of Nitsch & Son Utility, Water CCN No. 11124 to Undine Texas, LLC, CCN No.13260
and to Amend Water CCN No. 13260 in Harris County

Requested Areas

- Transfer Area - CCN 11124 to CCN 13260
- Amend to Add Water Service Area



0 1 2
Miles

Map by: S. Burt, ASBGI
Date: July 21, 2022
Base: TxDOT Roadways 2019, TxDOT City Limits
Project: Water General Location.mxd

Notice for Publication

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO AMEND UNCERTIFICATED AREA TO CCN NO. 13260 AND PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11124 FROM NITSCH & SON UTILITY COMPANY, INC. IN HARRIS COUNTY, TEXAS

Undine Texas, LLC	17681 Telge Road	Cypress, TX	77429
(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. 11124, in Harris County, TX from:

Nitsch & Son Utility Company, Inc.	8131 Northline Drive	Houston, TX	77037
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The requested area overlaps the district boundaries of:

- *Airline Improvement District*
- *Coastal Water Authority*
- *Gulf Coast Authority*
- *Harris County Flood Control District (FCD)*
- *Port of Houston Authority*

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 subdivisions:
Bellmar, Bellmar Estates, Bellmar Terrace, Durkee Manor, Assumption Heights, Airline Village, and Meadowland

The requested area includes 710 customer connections, is located approximately 7.9 mile(s) north of downtown Houston, Texas, and is generally bounded on the north by Gulf Bank Road; on the east by Airline Drive; on the south by Little York Road; and on the west by Berwyn Drive.

The requested area includes approximately 322 acres, comprised of:

47 acres of uncertificated area;
275 acres of transferred area from Nitsch & Son Utility (CCN No. 11124) to Undine Texas, LLC (CCN No. 13260).

The application proposes the subtraction of approximately 275 acres from CCN No. 11124 and the addition of approximately 322 acres to CCN No. 13260.

A copy of the maps showing the requested area are available at: 17681 Telge Road, Cypress, Texas 77429

The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Texas, LLC (in tariff as Rate Year 3, effective August 1,

2022), which are higher than the current rate for a 5/8" meter for Nitsch & Son Utility Company, Inc. To view a copy of the current approved tariff, go to: <https://undinellc.com/wp-content/uploads/Undine-Texas-LLC-Water-Tariff.pdf> or email info@undinellc.com or call (713) 574-5953 to request a copy.

BILLING COMPARISON of an estimated water bill for a 5/8" meter

Existing	2,000 gallons: \$	<u>24.00</u>	/mo	New Rate	2,000 gallons: \$	<u>55.75</u>	/mo
Existing	5,000 gallons: \$	<u>30.00</u>	/mo	New Rate	5,000 gallons: \$	<u>62.98</u>	/mo
Existing	10,000 gallons: \$	<u>40.00</u>	/mo	New Rate	10,000 gallons: \$	<u>78.71</u>	/mo

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 a 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.

**NOTICE FOR PUBLICATION/DOCKET NO. 53827/UNDINE TEXAS
LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
NO. 13260, NOTICE OF INTENT TO AMEND UNCERTIFICATED
AREA TO CCN NO. 13260 AND PURCHASE WATER FACILITIES
AND TO TRANSFER WATER SERVICES AREA UNDER CCN
NO.11124 FROM NITSCH & SON UTILITY CO. INC IN HARRIS
COUNTY TEXAS
AFFIDAVIT OF PUBLICATION
THE STATE OF TEXAS**

The Affiant, Kim DeShazer, having knowledge of the matters hereinafter set forth, after being duly sworn, deposes and states under oath that the following statements are true and correct;

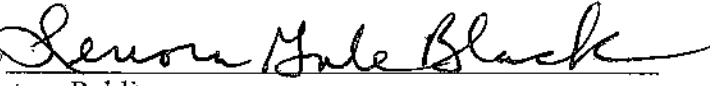
1. Affiant is the Sr. Account Executive of the Houston Business Journal; a weekly newspaper published in Harris County, Texas and of general circulation in Harris, Chambers, Liberty, Montgomery, Waller, Fort Bend, Brazoria and Galveston Counties.
2. The notice, of which the annexed is true copy, was published on May 19th, 2023 and May 26th, 2023 in the classified advertising of said publication.

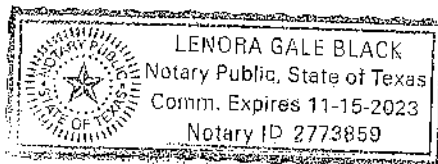
Further Affiant sayeth not.

Executed this the 16th day of June, 2023.

Affiant: 
Printed Name: Kim DeShazer

SUBSCRIBED AND SWORN BEFORE ME, on the 16th day of June, 2023.

by 
Notary Public
Lenora Gale Black
Printed Name of Notary



LEGALS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR NON-HAZARDOUS MUNICIPAL WASTEWATER, DOMESTIC SEWAGE SLUDGE, AND WATER TREATMENT PLANT RESIDUALS PROCESSING PERMIT

RENEWAL

PERMIT NO. WQ0005244900

APPLICATION AND PRELIMINARY DECISION. Evergo Organic Recycling, Inc., P.O. Box 1108, Crosby, Texas 77532, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollution Discharge Elimination System (TPDES) Permit No. WQ0005244900 to authorize the surface processing of non-hazardous municipal wastewater, domestic sewage sludge, and water treatment plant residuals by composting. This permit will not authorize a discharge of pollutants into waters in the State. TCEQ received this application on November 2, 2022.

The composting facility is located at 12479 Strala Road, approximately 5 miles southeast of Crosby, in Harris County, Texas 77532.

The composting facility is located in the drainage area of Cedar Bayou Above Tidal in Segment No. 0902 of the Trinity-San Jacinto Coastal Basin. No discharge of pollutants into water in the State is authorized by this permit.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. If approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, technical summary, Executive Director's preliminary decision, and the draft permit are available for viewing and copying at the Edith Fae Cook Cole Branch Library, 135 Hare Road, Crosby, Texas 77532. This link to an electronic map of the facility's location is provided as a public courtesy and not part of the application or notice. For exact location, refer to the application, <https://www.tceq.texas.gov/permitting/wastewater/plant-discharge/tpdes/tpdes-55-028509-29-028536-renewal>.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notices in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plant-discharge/tpdes/tpdes-55-028509-29-028536-renewal> and in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plant-discharge/tpdes/tpdes-55-028509-29-028536-renewal>.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or

request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit written or oral comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 within 30 days of the date of newspaper publication of the notice.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for public comments, the Executive Director will consider the comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing list will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.

A person who may be affected by the facility may request a contested case hearing from the Commission. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name and address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement, "I/we request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific facility. If you wish to be placed on the permanent mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the

Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/appl/Comment within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commission's Integrated Database at www.tceq.texas.gov/permit. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be

submitted either electronically at www.tceq.texas.gov/appl/Comment or in writing to the

Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/getinfo. If you need information in Spanish, please dial at 1-800-687-4040.

Further information may also be obtained from Evergo Organic Recycling, Inc., at the address stated above or by calling Mr. Jerry McCortain at 832-453-9696.

Issued: May 12, 2023

NOTICE TO CREDITORS

NO. 915190

NOTICE OF APPOINTMENT

Notice is hereby given that Original Letters Testamentary for the Estate of WALTER RUSSELL JOHNSON, JR., Deceased, were issued on April 12, 2023, in Cause No. 915190 pending in the Probate Court No. 2 of Harris County, Texas to:

LAZARUS VOLIVER,
Independent Executor

All claims against the Estate of WALTER RUSSELL JOHNSON, JR., Deceased, should be presented to: Harris P. Flaherty, Attorney at Law, 3397 Holstein Street, Houston, Texas 77004.

All persons having claims against this Estate which is currently being administered are required to present them within the time and manner prescribed by law, DATED this 15th day of May, 2023. /s/ Harris P. Flaherty, Attorney for the Estate.

NOTICE TO CREDITORS

NO. 513160

NOTICE OF APPOINTMENT

Notice is hereby given that Original Letters Testamentary for the Estate of LEE HYO JUN, Deceased, were issued on February 21, 2023 in Cause No. 513160 pending in the Probate Court No. 1 of Harris County, Texas to:

LEE SUENG JUN,
Independent Executor

All claims against the Estate of LEE HYO JUN, Deceased, should be presented to: Stephen E. McCleary, Attorney at Law, 2121 Grogg Street, Houston, Texas 77058.

All persons having claims against this Estate which is currently being administered are required to present them within the time and manner prescribed by law, DATED this 25th day of April, 2023. The McCleary Law Firm /s/ Stephen E. McCleary, Attorney for the Estate.

Docket No. 53927

Notice for Publication

UNION TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO AMEND UNCONFINED AREA TO CCN NO. 13260 AND PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11124 FROM NUTSCH & SON UTILITY COMPANY, INC. IN HARRIS COUNTY, TEXAS
Union Texas, LLC 17661 Tidge Road Cypress, TX 77429
(Purchase Area) (Address) (City, State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend unconfinement area to CCN No. 13260 and to purchase all of the water facilities and to transfer water certificated service area under CCN No. 11124, in Harris County, TX.

Nutsch & Son Utility Company, Inc. 5131 Caroline Drive Houston, TX 77037
(Seller's Name) (Address) (City, State) (Zip Code)

The requested area governing the district boundaries of:
• Austin Improvement District
• Coastal Water Authority
• Gulf Coast Authority
• Harris County Flood Control District (FCF)
• Port of Houston Authority

If these districts do not request a public hearing, the Commission shall determine that the district is consenting to the Union 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 § 13.01), the transaction and the transfer of the CCN include the following subdivisions:

Holloway, Bellway, Paces, Railroad Terrace, The Lakes, Assumption, Elgin, Airline, Village, and Meadowbrook

The requested area includes 710 customer connections, is located approximately 2.9 miles south of downtown Houston, Texas, and is generally bounded on the north by Gulf Bank Road; on the east by Airline Drive; on the south by Little York Road; and on the west by Brown Drive.

The requested area includes approximately 322 acres, comprised of 47 acres of unconfinement area.

223 acres of transferred area from Nutsch & Son Utility (CCN No. 11124) to Union Texas, LLC (CCN No. 13260).

The application proposes the subtraction of approximately 225 acres from CCN No. 11124 and the addition of approximately 223 acres in CCN No. 13260.

A copy of the map showing the requested area are available at 17661 Tidge Road, Cypress, Texas 77429.

The proposed transaction may change the current customer rates and services to the current approved rates and services of Union Texas, LLC (the tariff on Rate Year 3, effective August 1, 2023), which are higher than the current rates for a 5/8" meter for Nutsch & Son Utility Company, Inc. To view a copy of the current approved tariff, go to <http://www.tceq.texas.gov/permitting/wastewater/plant-discharge/tpdes/tpdes-55-028509-29-028536-renewal> or call (713) 574-5924 to request a copy.

BILLING COMPARISON of an estimated water bill for a 5/8" meter
Existing: 2,000 gallons \$ 24.50 /mo New Rate 2,000 gallons \$ 25.25 /mo
Existing: 5,000 gallons \$ 30.40 /mo New Rate 5,000 gallons \$ 32.38 /mo
Existing: 10,000 gallons \$ 36.30 /mo New Rate 10,000 gallons \$ 37.71 /mo

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) 936-7130 or (888) 782-8477. Hearing and speech-disabled individuals with hearing impairments (711) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is 150 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 motions are received and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a 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 15 acres or more, that is partially or wholly located within the unconfinement requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within 90 days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a street and boundary 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

2761 N. Congress, P.O. Box 13326 Austin, TX 78711-3326

In addition, the landowner must send a copy of the opt out request to the Utility. Such mail requests additional information regarding your request.

For more information on appeal, please dial at 1-888-782-8477.

NOTICE TO CREDITORS

NO. PR-0083149

NOTICE OF APPOINTMENT

Notice is hereby given that Original Letters Testamentary for the Estate of DONALD GERALD ARMSTRONG, Deceased, were issued on May 11, 2023 in Cause No. PR-0083149 pending in the Probate Court of Galveston County, Texas to:

STEPHANIE DRENNAN,
Independent Executor

All claims against the Estate of DONALD GERALD ARMSTRONG, Deceased, should be presented to: Janet Tittle, Attorney at Law, 107 Lansing Blvd., Suite F, League City, Texas 77573.

All persons having claims against this Estate which is currently being administered are required to present them within the time and manner prescribed by law, DATED this 15th day of May, 2023. /s/ Janet Tittle, Attorney for the Estate.

