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DOCKET NO. 53827

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

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**PUBLIC UTILITY COMMISSION

OF TEXAS**

**JOINT RESPONSE TO ORDER NO. 25 AND
JOINT REQUEST FOR EXTENSION**

On July 2, 2024, the Administrative Law Judge (ALJ) issued Order No. 25 requiring a response from Nitsch and Son Utility Company, Inc. (Nitsch) and Undine Texas, LLC (Undine) (collectively, the Applicants) and Staff (Staff) of the Public Utility Commission of Texas (Commission) (collectively, the Parties) by August 1, 2024. Therefore, this pleading is timely filed.

I. Response

The Parties provide the following response to Order No. 25.

A. Clarify whether Undine made a formal request according to Houston's application requirements.

Applicants do not assert that they made a formal request according to Houston's application requirements.

B. Identify the evidence in the record of this proceeding supporting the findings required by Texas Water Code (TWC) § 13.245(c) and (c-1) or, alternatively, TWC § 13.245(c-2).

There is no such evidence in the record. Applicants continue to work diligently with the City of Houston to finalize the agreement between the Applicants and the City that will provide the evidence to support the findings required by TWC 13.245(b).

II. Request for Extension

The Parties request a one-month extension of time to September 1, 2024 for Undine to submit proof of an agreement with the City of Houston regarding decertification and related issues. The Parties are not requesting this extension for purposes of delay.

III. Conclusion

The Parties request that the ALJ consider this information in clarification of the information previously submitted in the docket. And, for the reasons detailed above, the Parties respectfully request the entry of an order consistent with the above request. The undersigned counsel for Undine represents that he has conferred with Nitsch, and that Nitsch and has authorized Undine to submit this joint response.

Dated: July 31, 2024.

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

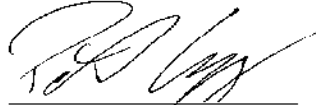
Marisa Lopez Wagley
Division Director

Ian Groetsch
Managing Attorney

/s/ Kevin Pierce

Kevin Pierce
State Bar No. 24093879
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
Phone: (512) 936-7265
Fax: (512) 936-7268
Kevin.Pierce@puc.texas.gov

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 Undine Texas, LLC

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CERTIFICATE OF SERVICE

I certify by my signature above that unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record on July 31, 2024 in accordance with the Order Suspending Rules filed in Project No. 50664.