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DOCKET NO. 53869

APPLICATION OF UNDINE TEXAS	§	PUBLIC UTILITY COMMISSION
ENVIRONMENTAL, LLC TO AMEND	§	
ITS SEWER CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
FORT BEND COUNTY	§	

APPLICANT’S RESPONSE TO ORDER NO. 11

I. Background

On January 14, 2024, the Administrative Law Judge (ALJ) issued Order No. 11 lifting abatement, requiring clarification, and adopting a procedural schedule.

II. Response

Applicant Undine Texas Environmental, LLC (Undine) provides the clarifications below in response to request for clarification or supplemental information.

- A. By February 5, 2024, Undine must identify the documents that have been filed in this docket which constitute its capital improvement plan.

Please see the attached **Exhibit A** (submitted confidentially), containing a copy of Undine’s Capital Improvement Plan.

- B. By February 5, 2024, Undine must identify the location in the record of its loan approval documents or firm capital commitment.

Please see the attached **Exhibit B** (submitted confidentially), containing a copy of correspondence from Texas Capital Bank, dated September 7, 2023.

- C. By February 5, 2024, Undine must file an affidavit confirming that notice was mailed by first-class mail to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the requested area according to the most

current tax appraisal rolls of the applicable central appraisal district at the time the Commission received the application for the CCN amendment.

Undine notifies the ALJ that, pursuant to the affidavit of Carey A. Thomas, attached hereto as **Exhibit C**, there are no owners of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified.

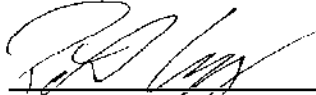
III. Conclusion

Undine requests that the ALJ consider this information in clarification of the information previously submitted in the docket.

Dated: February 12, 2024.

Respectfully submitted,

Gregg Law PC



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**Attorneys for Applicant Undine Texas
Environmental, 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 February 12, 2024 in accordance with the Order Suspending Rules filed in Project No. 50664.

EXHIBIT A

(Submitted Confidentially)

EXHIBIT B

(Submitted Confidentially)

EXHIBIT C

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ITS SEWER CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY	§	
IN FORT BEND COUNTY	§	

AFFIDAVIT OF CAREY THOMAS IN RESPONSE TO ORDER NO. 11 LIFTING ABATEMENT, REQUIRING CLARIFICATION, AND ADOPTING PROCEDURAL SCHEDULE

STATE OF TEXAS §
COUNTY OF Harris §
§

BEFORE ME, the undersigned notary, personally appeared Carey Thomas, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

“My name is Carey Thomas. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

I am the Senior Vice President of Undine Texas Environmental, LLC (Undine), the Applicant in the above-captioned matter.

Pursuant to Order No. 11 issued by ALJ in this matter, by February 5, 2024, Undine Texas Environmental must supplement the application, providing proof that the developer owns the entire area for which Undine seeks certification or state otherwise.

There are no owners of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified. Accordingly, there was no owner to which to provide notice and therefore no such notice was provided.

FURTHER AFFIANT SAYETH NOT.


Carey Thomas

SWORN AND SUBSCRIBED TO BEFORE ME by Carey Thomas, Senior Vice President
of Undine Texas Environmental, LLC, on this 29th day of January, 2024.



Notary Public
State of Texas

