



Filing Receipt

Received - 2022-08-26 12:50:59 PM

Control Number - 53869

ItemNumber - 8

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	§	

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

On July 25, 2022, Undine Texas Environmental, LLC (Undine) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20816 in Fort Bend County under Texas Water Code §§ 13.242 through 13.250 and 16 Texas Administrative Code §§ 24.225 through 24.237.

On July 26, 2022, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation regarding how to proceed with the application and propose a procedural schedule by August 26, 2022. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Ethan Blanchard of the Rate Regulation Division, Staff recommends that the application is administratively incomplete from a financial perspective. Staff further recommends that Undine be ordered to cure the deficiencies identified in Mr. Blanchard’s memorandum by September 26, 2022, and that Staff be given a deadline of October 26, 2022, to file a supplemental recommendation on the administrative completeness of the application.

II. PROCEDURAL SCHEDULE

In accordance with Staff’s deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation that the application be found administratively complete. Staff notes that Undine should not issue notice until the application is deemed sufficient.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively incomplete, that Undine be ordered to file supplemental information to cure the deficiencies in the application by September 26, 2022, and that Staff be given a deadline of October 26, 2022, to file a supplemental recommendation on administrative completeness of the application. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: August 26, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

John Harrison
Interim Managing Attorney

/s/ Ian Groetsch
Ian Groetsch
State Bar No. 24078599
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7465
(512) 936-7268 (facsimile)
Ian.Groetsch@puc.texas.gov

DOCKET NO. 53869

CERTIFICATE OF SERVICE

I certify 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 August 26, 2022 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch

Public Utility Commission of Texas

Memorandum

TO: Ian Groetsch
Legal Division

FROM: Ethan Blanchard
Kathryn Eiland
Rate Regulation Division

DATE: August 26, 2022

RE: Docket No. 53869 – *Application of Undine Texas Environmental, LLC to Amend its Certificate of Convenience and Necessity in Fort Bend County*

On July 25, 2022, Undine Texas Environmental, LLC (Undine) filed an application to amend its sewer Certificate of Convenience and Necessity (CCN), No. 20816, in Fort Bend County under Subchapter G of Texas Water Code Chapter 13.

We reviewed the answers provided to questions 28, 29, 30, and 31 of the application. We recommend that the application be deemed administratively incomplete, and that Undine be required to submit the following information to cure the deficiencies:

1. Provide Undine Group, LLC's unredacted financial statements ending December 31, 2021.
2. Provide a table which summarizes the purchase prices, planned capital improvements, and 5-year operating projections from each system in the following dockets: 53047; 53048; 53459; 53476; 53629; 53630; 53765; 53827; 53828; 53853; 53854; 53866; 53867; 53868; and 53869.
3. Or, in lieu of 5-year projections for each system, provide aggregated 5-year projections for Undine Group and its guaranteed affiliates in Texas.