



## Filing Receipt

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**Control Number - 54208**

**ItemNumber - 11**

**DOCKET NO. 54208**

<b>PETITION OF UNDINE</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>DEVELOPMENT, LLC AND SOUTH</b>	<b>§</b>	
<b>CENTRAL WATER COMPANY FOR</b>	<b>§</b>	<b>OF TEXAS</b>
<b>APPROVAL OF A SERVICE AREA</b>	<b>§</b>	
<b>CONTRACT UNDER TEXAS WATER</b>	<b>§</b>	
<b>CODE § 13.248 AND TO AMEND</b>	<b>§</b>	
<b>CERTIFICATES OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN HARRIS COUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S FINAL RECOMMENDATION AND PROPOSED AMENDED PROCEDURAL SCHEDULE**

**I. INTRODUCTION**

On October 13, 2022, Undine Development, LLC (Undine) and South Central Water Company (SCWC) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend certificates of convenience and necessity in Harris County.

On December 14, 2022, the administrative law judge (ALJ) filed Order No. 3, establishing a deadline of February 22, 2023, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) and Petitioners (collectively, Parties) to file joint proposed findings of fact and conclusions of law. However, the ALJ inadvertently omitted setting a deadline by which Staff must file a final recommendation on the application. Therefore, Staff submits this final recommendation and proposed amended procedural schedule for continued processing of this docket.

**II. FINAL RECOMMENDATION**

Staff has reviewed the petition and supplemental information and as detailed in the attached memoranda from Chase Lipscomb, Infrastructure Division, recommends that the petition, as supplemented, be approved. Staff’s review indicates that the petition meets the statutory requirements of TWC § 13.248. Therefore, Staff recommends that the petition, as supplemented, be approved.

**III. PROPOSED AMENDED PROCEDURAL SCHEDULE**

Staff proposes the following amended procedural schedule for the continued processing of this petition:

<b>Event</b>	<b>Date</b>
If no hearing is requested, deadline for Staff to file a final recommendation on the petition	February 22, 2023
If no hearing is requested, deadline for the parties to file joint proposed findings of fact and conclusions of law	March 3, 2023

**IV. CONCLUSION**

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation and amended procedural schedule.

Dated: February 22, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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Division Director

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/s/ Bradley Reynolds  
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**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 on February 22, 2023 in accordance with the Second Order Suspending Rules filed in Project No. 50664.

*/s/ Bradley Reynolds* \_\_\_\_\_  
Bradley Reynolds

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Bradley Reynolds, Attorney  
Legal Division

**FROM:** Chase Lipscomb, Infrastructure Analyst  
Infrastructure Division

**DATE:** February 22, 2023

**RE:** Docket No. 54208 – *Petition of Undine Development, LLC and South Central Water Company for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Harris County*

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On October 13, 2022, Undine Development, LLC (Undine) and South Central Water Company (South Central) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Undine’s water and sewer Certificate of Convenience and Necessity (CCN) No. 12407 & 20948 and South Central’s water and sewer CCN No. 13061 & 20964 in Harris County, Texas. The Petitioners’ TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

Based on the mapping review by Hank Journey, Infrastructure Division:

- The requested area includes 0 customer connections and approximately 117 acres of transferred area from South Central (CCN Nos. 13061 and 20964).
- The petition proposes the subtraction of approximately 117 acres from CCN Nos. 13061 and 20964 and the addition of approximately 117 acres to CCN Nos. 12407 and 20948.

Individual Notice was not required for this petition because there are no affected customers in the area subject to the transfer.

The Petitioners submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c).

The petition meets all applicable statutory requirements of TWC Chapter 13 and 16 TAC Chapter 24 rules and regulations. Therefore, I recommend approval of the petition.

The Petitioners consented to the attached map and certificates on January 4, 2023, and February 16, 2023.