



## **Filing Receipt**

**Filing Date - 2024-09-09 08:59:21 AM**

**Control Number - 55378**

**Item Number - 39**

**DOCKET NO. 55378**

<b>APPLICATION OF GUADALUPE-</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>BLANCO RIVER AUTHORITY AND</b>	<b>§</b>	
<b>UNDINE TEXAS ENVIRONMENTAL,</b>	<b>§</b>	<b>OF TEXAS</b>
<b>LLC FOR SALE, TRANSFER, OR</b>	<b>§</b>	
<b>MERGER OF FACILITIES AND</b>	<b>§</b>	
<b>CERTIFICATE RIGHTS IN CALHOUN</b>	<b>§</b>	
<b>COUNTY</b>		

**UNDINE’S MOTION FOR EXTENSION OF TIME TO COMPLETE  
APPROVED SALE TRANSACTION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Undine Texas Environmental, LLC (“Undine”) and files this Motion for extension of time to complete the sale transaction previously approved by the Public Utility Commission of Texas (the “Commission”), and as good cause therefore would show the following:

**I. INTRODUCTION AND PROCEDURAL HISTORY**

On August 16, 2023, Guadalupe-Blanco River Authority (“GBRA”) and Undine (collectively, the “Applicants”) filed an Application for Sale, Transfer, or Merger (“STM”) for approval of the following: (1) the sale and transfer to Undine of GBRA’s Crestview Subdivision sewer facilities and 68 existing customers; (2) the addition of 60 acres of uncertificated area currently served by the GBRA to Undine’s certificate of convenience and necessity (“CCN”) number 20816; and (3) the amendment to Undine’s CCN number 20816 to include the facilities and customers of GBRA and addition of the 60 uncertificated acres in Calhoun County.

This application was filed concurrently with the application by GBRA and Undine Texas, LLC for the sale, transfer or merger of facilities and certificate rights under PUC Docket No. 55377 (the “Water Application”).

On April 10, 2024, the Commission issued Order No. 8 in the instant docket, approving the sale and transfer transaction, and authorizing the parties to proceed to consummate the transaction.

Pursuant to Order No. 8, the Applicants have 180 days from April 10, 2024—the date of Order No. 8—to complete the transaction. If closing documents are not submitted within the 180-day period and no extension has been granted, the Commission’s approval of the transaction is void. Order No. 8 also provides that the approval may be extended upon a showing of good cause. Unless extended, the Applicants are currently required to complete the transaction by October 7, 2024. However, Applicants request that the time allowed to complete the transaction be extended for good cause, as further detailed below.

## **II. GOOD CAUSE**

The Applicants have been diligently working to finalize and close this transaction since the Commission issued its approval in April 2024. However, as previously noted, this application was filed concurrently with the Water Application. The Applicants need to complete both transactions at the same time. Because the Water Application remains pending, the closing of this transaction remains pending as well. Under the Water Application, the deadline for the Staff of the Commission (“Commission Staff”) to request a hearing or file a recommendation on approval of the transaction is October 11, 2024. If no hearing is requested, the deadline for the parties to the Water Application to file a joint motion to admit evidence and a proposed order approving the sale and allowing the transaction to proceed is November 13, 2024. Thus, the earliest date the Commission could approve the sale and transfer transaction under the Water Application is mid-to-late November. As such, the Applicants require additional time to complete the sale transaction at issue in this docket while the Water Application remains pending.

Undine reports there have not been any material changes in its financial, managerial, and technical capability to provide continuous and adequate service to the requested area and the Applicant's service area. Accordingly, Undine requests that the Commission extend the time for Undine and GBRA to complete this transaction by an additional one hundred twenty days (120) until February 4, 2025. If the transaction closes before this date, Undine will notify the Commission. Undine is not requesting this extension for purposes of delay, but rather to allow the parties to the Water Application the time necessary to seek the Commission's approval of the sale and transfer, and to enable the transaction to proceed to closure.

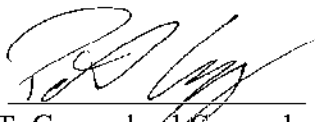
### **III. CONCLUSION**

Undine respectfully submits that good cause exists for an extension of time to complete the approved transaction, and requests that the Commission issue an order granting the extension of time requested herein. Undine further asks for all other and further relief to which it may be entitled.

DATED September 9, 2024.

Respectfully submitted,

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**ATTORNEY FOR UNDINE TEXAS  
ENVIRONMENTAL, LLC**

**CERTIFICATE OF SERVICE**

I certify pursuant to the above signature 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 September 9, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.