

Control Number: 42866



Item Number: 17

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014.

SOAH DOCKET NO. 582-14-3382
TCEQ DOCKET NO. 2014-0439-UCR

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PETITION OF TRAVIS COUNTY
MUNICIPAL UTILITY DISTRICT NO.
12 APPEALING CHANGE OF
WHOLESALE WATER RATES
IMPLEMENTED BY WEST
TRAVIS COUNTY PUBLIC UTILITY
AGENCY, CITY OF BEE CAVE, TEXAS
HAYS COUNTY, TEXAS AND WEST
TRAVIS COUNTY MUNICIPAL
UTILITY DISTRICT NO. 5

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BEFORE THE STATE PUBLIC UTILITY COMMISSION
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

**TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12'S INTERROGATORIES
TO WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY**

COMES NOW Travis County Municipal Utility District No. 12 ("TCMUD 12 or District") and, pursuant to Rules 191 through 198 of the Texas Rules of Civil Procedure, submits the following Interrogatories to be answered by West Travis County Public Utility Agency ("PUA").

For each response, please identify all persons who provide information for the answer to each request and identify the witness in this matter who will sponsor the answer to the question and can vouch for the truth of the answer. The PUA is under a continuing obligation to supplement or amend as needed in accordance with Texas Rule of Civil Procedure 193.5.

These requests are not intended to seek, and should be read as expressly excluding, privileged information or documents. Should any information be withheld from a response, please state in that response that you are withholding information or materials and the privilege(s) asserted.

Please provide responses to the requests to the undersigned counsel at the address listed below.

Respectfully Submitted,

SMITH TROSTLE & HUERTA LLP

4401 Westgate Blvd., Ste. 330

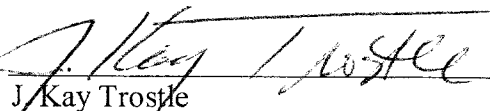
Austin, Texas 78745

(512) 494-9500 (Telephone)

(512) 494-9505 (Facsimile)

ktrostle@smithtrostle.com

By:

A handwritten signature in dark ink, appearing to read "J. Kay Trostle", is written over a horizontal line.

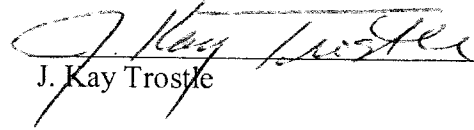
J. Kay Trostle

State Bar No. 20238300

ATTORNEYS FOR TRAVIS COUNTY
MUNICIPAL UTILITY DISTRICT NO. 12

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been sent as indicated below to the following persons on this 14th day of July, 2014.


J. Kay Trostle

West Travis County Public Utility Agency
David Klein
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave, Ste. 1900
Austin, Texas 78701
512-322-5818
512-472-0532 Fax

Via Hand Delivery

TCEQ Executive Director
Ron Olson & Jessica Gray
Texas Commission on Environmental Quality
Environmental Law Division
P.O. Box 13087, MC-173
Austin, TX 78711
512-239-0600
512-239-0606 Fax

Via First Class Mail

TCEQ Public Interest Counsel
Rudy Calderon
Texas Commission on Environmental Quality
P.O. Box 13087, MC-103
Austin, TX 78711
512-239-3144
512-239-6377 Fax

Via First Class Mail

West Travis County Municipal Utility District No. 5
Randall Wilburn
3000 South IH 35, Suite 150
Austin, Texas 78704
512-535-1661
512-535-1678 Fax

Via First Class Mail

The City of Bee Cave, Texas

Jim Haley

The Akers Law Firm

6618 Sitio Del Rio Blvd., Bldg E, Ste. 102

Austin, Texas 78730

512-810-2142

512-233-0801 Fax

Via First Class Mail

Hays County, Texas

Mark Kennedy

Office of General Counsel, Hays County

111 E. San Antonio St., Ste. 202

Austin, Texas 78701

512-393-2208

512-392-6500 Fax

Via First Class Mail

Definitions

“You” and “Your” refers to West Travis County Public Utility Agency (“PUA”) named as a Party to SOAH Docket No. 582-14-3382 by Order No. 1.

“West Travis County Public Utility Agency” or “PUA” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of the PUA.

“West Travis County Municipal Utility District No. 5” or “District 5” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of District 5.

“City of Bee Cave” or “City” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of the City of Bee Cave.

“Hays County, Texas” or “County” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of the County.

“Lower Colorado River Authority” or “LCRA” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of the LCRA.

The term "**Commission**" refers to the Texas Commission on Environmental Quality, an administrative agency of the State of Texas, and its Staff and Commissioners, natural persons employed by and working for the agency.

The term "**Staff**" as used herein refers to the natural persons employed by and working for the Texas Commission on Environmental Quality in any capacity.

"Document" and "Documents" are used herein in their broadest sense as set forth in Tex. R. Civ. P. 192.3(b), and specifically include electronic information or magnetic data as described in Rule 196.4. These words mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms "Document" and "Documents" shall include all agreements, contracts, Communications, correspondence, letters, opinion letters, telegrams, telexes, telefaxes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations or interviews, minutes, summaries, or other records of meetings and conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, progress reports, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, charts, tables, accounts, analytical records, consultants' and experts' reports, appraisals, bulletins, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfiche, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs and data compilations from which information can be obtained (including

matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, magnetically-stored, optically-stored, or electronically stored matter and Electronic Information, however produced, prepared, reproduced, disseminated, made or stored in any data source. The words "Document" and "Documents" also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that do not contain any markings, additions, or deletions that are different from the original do not have to be separately produced.

The term "**Communication**" includes, without limitation of its generality, statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by any media such as intercoms, telephones, television, radio, or computer including electronic information.

The term "**Electronic Information**" includes, without limitation, the following: databases, data files, program files (e.g. DOC, XLS, WPD files), image files (e.g. JPEG, TIFF, PDF files), email messages and files, voice mail messages and files, instant messaging messages, text messages, temporary files, system-history files, deleted files or emails, back up files and archival files, website files, website information stored in textual, graphical or audio format, cache files, and cookies.

The term "**Data Sources**" includes, without limitation, mainframe computers, network servers, internet ("web") servers, computers (including desktop, laptop and handheld computers), hard drives (including portable or temporary hard drives), flash drives (including thumb drives,

secure digital cards or other flash memory devices), email servers, handheld devices like personal digital assistants and cell phones or smart phones (e.g. iPhones, BlackBerrys).

The terms "**relate**" or "**relating**" to any given subject, when used to specify a document, communication, statement, or correspondence mean any document, communication, statement or correspondence that constitutes, contains, evidences, embodies, reflects, identifies, states, discusses, refers to, deals with, or is in any manner whatsoever pertinent to that subject.

The term "**identify**," **when used in reference to a natural person** means to provide his or her (1) full name and (2) present or last known position or business affiliation, job title, employment address, and telephone number (designating which).

The terms "**identify**" and "**describe**," **when used in reference to facts, an event, or an allegation**, means to include: (a) a detailed description of the facts, events, or allegation at issue; (b) the date or dates on which the facts or event occurred, or the time period involved in the events giving rise or relating to the allegation; (c) the name, address, telephone number, and affiliation of all persons involved in the facts, event, or allegation; and (d) the date, author, addressee or recipient, and type of document of any document relating to or concerning the event or allegation.

**TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12'S INTERROGATORIES
TO WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY**

- 1-1 Please describe in detail any changed conditions that PUA claims formed the basis for your decision to change the wholesale water rates you charge TCMUD #12.
- 1-2 Please describe all of the variables, assumptions, and inputs that are subject to change by PUA in the development of the annual wholesale water minimum bill calculations going forward.
- 1-3 Please describe any alternative means by which TCMUD 12 could obtain water service other than from the PUA.
- 1-4 Please describe any environmental impact that would be attributable to TCMUD 12 obtaining alternative water service instead of relying on the PUA to provide that service.