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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, AND THE §
CITY OF BEE CAVE, TEXAS, §
HAYS COUNTY, TEXAS AND §
WEST TRAVIS COUNTY §
MUNICIPAL UTILITY DISTRICT §
NO. 5 §

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY'S
INDEX OF PRIVILEGED DOCUMENTS RESPONSIVE TO
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12'S
REQUESTS FOR ADMISSION AND REQUESTS FOR PRODUCTION**

On August 13, 2014, West Travis County Public Utility Agency ("WTCPUA") filed its Responses to Travis County Municipal Utility District No. 12's ("MUD 12") Requests for Admission and Requests for Production in the above-styled matter (its first set of admissions and production requests). WTCPUA objected to MUD 12's Request for Production ("RFP") No. 1-12 to the extent that the second sentence of this discovery request was vague and overbroad, and WTCPUA asserted that some of the substantive documents responsive to the request were protected by attorney-client and work product privileges. Also, WTCPUA objected to MUD 12's RFP No. 1-13 on the basis that this discovery request was vague and overbroad, and WTCPUA asserted that some of the substantive documents responsive to the request were protected by attorney-client and work product privileges. Third, WTCPUA asserted that some of the substantive documents responsive to MUD 12's RFP No. 1-19 were protected by attorney-client privilege. However, after consultation with counsel for MUD 12, the WTCPUA's

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understanding of RFPs 1-12 and 1-19 have been clarified, and there are no further responsive documents withheld under the privileges initially asserted for RFPs 1-12 or 1-19.

In accordance with the presiding Administrative Law Judge's Order No. 4, and as required by Procedural Rule 22.144(d)(2), WTCPUA hereby files an index of privileged documents describing the required details of the documents and the privilege claimed for RFP 1-13, attached hereto as Exhibit A.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &
TOWNSEND, P.C.**
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Austin, Texas 78701
Telephone: (512) 322-5800
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DAVID J. KLEIN
State Bar No. 24041257

GEORGIA N. CRUMP
State Bar No. 05185500

CHRISTIE DICKENSON
State Bar No. 24037667

**ATTORNEYS FOR WEST TRAVIS COUNTY
PUBLIC UTILITY AGENCY**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was transmitted by e-mail, fax, hand-delivery and/or regular, first class mail on this 26th day of September, 2014 to the parties of record.



DAVID J. KLEIN

Exhibit A

Index of Privileged Documents Responsive to MUD 12 RFP 1-13

Document #	1
Date:	March 28, 2013
Title:	Email: Revised Wholesale Customer Analysis
Preparer/Custodian:	Nelisa Heddin
To:	Don Rauschuber, George Murfee, Lauren Kalisek, Stefanie Albright, Dennis Lozano
From:	Nelisa Heddin
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	2
Date:	March 28, 2013
Title:	Email: Revised Wholesale Customer Analysis
Preparer/Custodian:	Nelisa Heddin
To:	Don Rauschuber, George Murfee, Lauren Kalisek, Stefanie Albright, Dennis Lozano
From:	Nelisa Heddin
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	3
Date:	April 5, 2013
Title:	Email: FW: Wholesale Minimum Bill
Preparer/Custodian:	Nelisa Heddin
To:	Stefanie Albright, David Klein, Judy Bentley
From:	Lauren Kalisek
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	4
Date:	April 5, 2013
Title:	Email: RE: wholesale analysis – 4 Scenarios
Preparer/Custodian:	Nelisa Heddin
To:	Don Rauschuber
From:	Nelisa Heddin
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	5
Date:	April 5, 2013
Title:	Email: wholesale analysis – 4 Scenarios
Preparer/Custodian:	Nelisa Heddin
To:	Don Rauschuber
From:	Nelisa Heddin
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	6
Date:	April 9, 2013
Title:	Email: Re: Wholesale Minimum Bill
Preparer/Custodian:	Don Rauschuber
To:	Nelisa Heddin, Stefanie Albright, Lauren Kalisek
From:	Don Rauschuber
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	7
Date:	April 26, 2013
Title:	Email: email to wholesale customers
Preparer/Custodian:	Nelisa Heddin
To:	Don Rauschuber, Stefanie Albright, Lauren Kalisek
From:	Nelisa Heddin
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	8
Date:	May 3, 2013
Title:	Email: communications from wholesale customers
Preparer/Custodian:	Nelisa Heddin
To:	Ray Whisenant, Lauren Kalisek, Don Rauschuber
From:	Nelisa Heddin
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.

Document #	9
Date:	May 30, 2013
Title:	Email: FW: Questions from the WTCPUA Wholesale Minimum Bill and Volumetric Rate Increase
Preparer/Custodian:	Nelisa Heddin
To:	Lauren Kalisek, Stefanie Albright, Don Rauschuber
From:	Nelisa Heddin
Privileges:	This email exchange is a confidential work product communication made in anticipation of litigation.