



Control Number: 42867



Item Number: 100

Addendum StartPage: 0

SOAH DOCKET NO. 473-14-5138.WS
PUC DOCKET NO. 42857

PETITION OF NORTH AUSTIN § BEFORE THE STATE OFFICE
MUNICIPAL UTILITY DISTRICT NO. 1, §
NORTHTOWN MUNICIPAL UTILITY §
DISTRICT, TRAVIS COUNTY WATER §
CONTROL AND IMPROVEMENT §
DISTRICT NO. 10 AND WELLS §
BRANCH MUNICIPAL UTILITY § OF
DISTRICT §
FROM THE RATEMAKING ACTIONS §
OF THE CITY OF AUSTIN §
AND REQUEST FOR INTERIM RATES §
IN WILLIAMSON AND TRAVIS §
COUNTIES § ADMINISTRATIVE HEARINGS

SOAH DOCKET NO. 473-14-5138.WS
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PETITION OF NORTH AUSTIN § BEFORE THE STATE OFFICE
MUNICIPAL UTILITY DISTRICT NO. 1, §
NORTHTOWN MUNICIPAL UTILITY §
DISTRICT, AND WELLS BRANCH §
MUNICIPAL UTILITY DISTRICT § OF
FROM THE RATEMAKING ACTIONS §
OF THE CITY OF AUSTIN §
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COUNTIES § ADMINISTRATIVE HEARINGS

NORTHTOWN MUNICIPAL UTILITY DISTRICT'S RESPONSE
TO CITY OF AUSTIN'S
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS

TO: City of Austin, by and through its attorneys of record, Stephen P. Webb and Gwendolyn Hill Webb, Webb & Webb, 712 Southwest Tower, 211 East 7th Street, Austin, Texas 78701.

COMES NOW, Northtown Municipal Utility District ("Northtown" or "Petitioner"), in the above-styled and numbered cause, and serves this, its Response to the City of Austin's Second Request for Production of Documents.

Respectfully submitted,

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Fax: (512) 900-2855

By: 
JOHN J. CARLTON

COUNSEL FOR PETITIONER

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing document on all parties of record in this proceeding on December 1, 2014 via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or certified mail.


JOHN J. CARLTON

PRODUCTION REQUESTS

The following requests pertain to the written prefiled testimony of Jay Joyce for Northtown Municipal Utility District.

11. Please provide all documents that form the bases for your testimony regarding for the general ratemaking principles and the rules and regulations referred to on Page 8, Line 26.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

**American Water Works Association's Manual of Water Supply Practices M1,
Principles of Water Rates, Fees, and Charges, Sixth Edition;
Water Environment Federation's Financing and Charges for Wastewater Systems,
WEF Manual of Practice No. 27; and
Chapter 24, Public Utility Commission Substantive Rules.**

12. Please provide all documents that form the bases for your statement that "the City unfairly overburdens the water and wastewater utilities" on page 14, lines 12 and 13.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request asks Northtown to produce evidence that the City.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

**Direct Testimony of Jay Joyce at page 13 line 10 through page 16 line 22;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 29-62;
Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and
Exhibit JJJ-7;
PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;
PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;**

**PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

13. Please provide all documents that form the bases for your statement that the Petitioners receive no benefit from the reclaimed water system on page 15, line 22.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 15, lines 1-10 and page 29, line 13 to page 31, line 7;

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 47-49 and 209-226;

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;

PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and

All documents previously produced by the City and provided to Jay Joyce for review.

14. Please provide all documents that form the bases for the statement that the "Green Choice" assets and activities are not reasonable or necessary to provide service to wholesale customers on page 17, lines 5 and 6.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of David Anders at page 60, lines 15-27;

Direct Testimony of Jay Joyce at page 16, line 24 to page 17, line 6;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 64-68;
Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;
PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;
PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;
PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331;
PFT of Greg Meszaros-240 to PFT of Greg Meszaros-1743;
PFT of Greg Meszaros-4027 to PFT of Greg Meszaros-4717;
PFT of Greg Meszaros-5409 to PFT of Greg Meszaros-6029; and
All documents previously produced by the City and provided to Jay Joyce for review.

15. Please provide all documents that form the bases the conclusion that the SWAP Debt Administration item should be capitalized as referenced on page 17, lines 12-20.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 17, lines 7-25;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 70-71;
Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;
PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;
PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;
PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331;
PFT of Greg Meszaros-240 to PFT of Greg Meszaros-1743;
PFT of Greg Meszaros-4027 to PFT of Greg Meszaros-4717;
PFT of Greg Meszaros-5409 to PFT of Greg Meszaros-6029; and
All documents previously produced by the City and provided to Jay Joyce for review.

16. Please provide all documents that form the bases for the conclusion that the Contract Management item should be capitalized instead of expensed as referenced on page 18, lines 1-20.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 18, lines 1-20;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 73-78;
Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;
PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;
PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;
PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331;
PFT of Greg Meszaros-240 to PFT of Greg Meszaros-1743;
PFT of Greg Meszaros-4027 to PFT of Greg Meszaros-4717;
PFT of Greg Meszaros-5409 to PFT of Greg Meszaros-6029; and
All documents previously produced by the City.

17. Please provide all documents that form the bases for your statement that Austin proposes to allocate rate case expenses to "all customers" on page 28, line 11.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents some of which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 28, line 1 to page 29 line 11;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 200-207;
Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;

**PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;
PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;
PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

Other responsive and non-privileged documents will be produced.

18. Please provide all documents that form the bases for the statement that “the utility must prove that its budget approximates actual cost adjusted for known and measurable changes.” As referenced on page 31, lines 14-15.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, responsive and non-privileged documents will be produced.

19. Please provide all documents that form the bases for the adjustment that reduces by 10% all staffing costs as referenced on page 33, lines 2-4.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City’s possession or the possession of its witnesses:

**Direct Testimony of Jay Joyce at page 32, line 16 to page 33, line 4;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 258, 260; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

20. Please provide all documents that form the bases for your conclusion that because the Austin Police Department pay schedule is one of the highest in the State of Texas and the nation, that the Austin Water staff is overpaid as referenced on page 33, lines 8-25.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 33, lines 8-25.

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 262-266; and

All documents previously produced by the City and provided to Jay Joyce for review.

21. Please provide all documents that form the bases for your adjustment that reduces by 5% all staffing costs as referenced on page 33, lines 23-25.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 33, lines 8-25.

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 262-266; and

All documents previously produced by the City and provided to Jay Joyce for review.

22. Please provide all documents that form the bases for your statement that using “net asset values” to allocate water costs between water transmission and distribution systems is not consistent with industry standards as referenced on page 41, lines 5-10.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, See Response to RFP 11 above.

23. Please provide all documents that form the bases for your statement that the water model you developed is accurate; as referenced on page 46, lines 2-3.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents some of which are equally obtainable by the City or already in the City’s possession or the possession of its witnesses:

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408; and
All documents previously produced by the City and provided to Jay Joyce for review.

Other responsive and non-privileged documents will be produced

24. Please provide a copy of your water model.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City’s possession or the possession of its witnesses:

The water model is available in Excel and PDF formats on the Commission’s Interchange as Exhibit JJJ-3 – Petitioners COA WATER Cost of Service Model.xlsx in

Native Files and Bates Nos. 62 to 229 under Item #128 DIRECT TESTIMONY OF JAY JOYCE in Docket No. 42857.

25. Please provide all documents that form the bases for your statement that the wastewater model you developed is accurate; as referenced on page 49, lines 14-15.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

**Exhibit JJJ-4 – WASTEWATER MODEL.xlsx on the Commission's Interchange
Item #128 DIRECT TESTIMONY OF JAY JOYCE in Docket No. 42857;
and
PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

26. Please provide all documents that support your adjustment of \$2,420,086 on page 45 of your testimony. The documents should provide detail for the dollar breakdown of each of the 39 issues by adjustment, for each Petitioner.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

**Exhibit JJJ-3 – Petitioners COA WATER Cost of Service Model.xlsx;
Exhibit JJJ-6 – Work Papers JJJ-3 – Adjustments – Water Assets(from RFP 2-113).xlsx;
Exhibit JJJ-6 – Work Papers JJJ-3 – Adjustments – Water Assets(from RFP 2-113 Fixed Asset Table Water Property Listing.BATES).xlsx; and
Exhibit JJJ-6 – Work Papers JJJ-3 – Adjustments – Water COS and Rev Rqmts.xlsx on the Commission's Interchange under Item #128 DIRECT TESTIMONY OF JAY JOYCE (Native Files) in Docket No. 42857; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

27. Please provide the source documentation that underlies: 1. your debt service calculation for the water system assets totaling \$1,780,346; 2. cash capital outlay for the water system assets totaling \$802,919; and 3. your depreciation expense for the water system totaling \$746,327, as asserted on page 14 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

See Schedule E, Column e, lines 48-50 of Exhibit JJJ-3 – Petitioners COA WATER Cost of Service Model.xlsx on the Commission's Interchange under Item #128 DIRECT TESTIMONY OF JAY JOYCE (Native Files) in Docket No. 42857; and

All documents previously produced by the City and provided to Jay Joyce for review.

28. Please provide all documents that form the bases for your conclusion that the cost of service was inflated by reclassifying SWAP Debt Administration and Commercial Paper Administration from a capitalized cost to an expensed cost. Please include all documentation upon which you relied to conclude that this reclassification "unreasonably" raised current revenue requirements, as asserted on page 17 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 17, lines 11-25;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 70-71;
Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and
Exhibit JJJ-7;
PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

**PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;
PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331;
PFT of Greg Meszaros-240 to PFT of Greg Meszaros-1743;
PFT of Greg Meszaros-4027 to PFT of Greg Meszaros-4717;
PFT of Greg Meszaros-5409 to PFT of Greg Meszaros-6029; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

29. Please provide all documents that form the bases for your conclusion that drainage fees paid by the water and wastewater systems is not a reasonable or necessary cost for the provision of water and wastewater service to ratepayers, as asserted on page 19 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

**Direct Testimony of Jay Joyce at page 18, line 24 through page 19, line 10;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 80-104; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

30. Please provide all documents that form the bases for your conclusion that 311 services for Utility Cut Repair and Water Waste Reports would not benefit wholesale customers, as asserted on pages 21 and 22 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 21 line 6 to page 22 line 35.

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 143-139.

PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and

All documents previously produced by the City and provided to Jay Joyce for review.

31. Please provide all documents that form the bases for your statement that the General Fund transfer is not cost-based; has no standard industry practices; and is not needed for debt service coverage, as asserted on page 23 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 23 line 1 to page 25 line 12;

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 140-169;

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;

PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and

All documents previously produced by the City and provided to Jay Joyce for review.

32. Please provide all documents that form the bases for Mr. Joyce's conclusion on pages 24 and 25 of his testimony that the Austin Energy General Fund Transfer is considered reasonable, but that there is no support for AWU's General Fund transfer ("GFT").

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

**Direct Testimony of Jay Joyce at page 23 line 1 to page 25 line 12;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 140-169;
Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and
Exhibit JJJ-7;
PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;
PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;
PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

33. Please provide all documents that support Mr. Joyce's statement that the utility included a factor for profit in its cost of service analysis, on page 25 of his testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Northtown is unable to respond because Mr. Joyce did not state that "the [hypothetical] utility" included a factor for profit in its cost of service analysis.

34. Please provide all documents that form the bases for Mr. Joyce's conclusion on page 26 of his testimony that the Transfer to the Austin Fire Department for "Hazmat to prevent hazardous materials from going into the water/wastewater systems" appears to be "another excuse" to fund Austin's general government.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

**Direct Testimony of Jay Joyce at page 26 line 15 to page 27 line 5;
Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 180-190;
PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and
All documents previously produced by the City and provided to Jay Joyce for
review.**

35. Please provide supporting documentation that supports the removal of \$641,811 and how it relates to the current rate case, as asserted on page 28 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 28, line 1 to page 29 line 11;

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 200-207;

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;

PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and

All documents previously produced by the City and provided to Jay Joyce for review.

36. Please provide supporting documentation that explains how Mr. Joyce developed the factors for the cost allocation attributable to Reuse, as asserted on page 30 of his testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 30, lines 1-6; and

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 209-224.

37. Please provide supporting documentation and basis for how Mr. Joyce developed and applied the following factors to O&M costs: Pump Station Factor to Pump Station & Reservoir Maintenance Cost and Pump Station & Reservoir Operations; Pipeline Factor to Pipeline Maintenance, Valves, Distribution System Support O&M costs; Water Composite Factor to Support Services, Special Support, Operating Transfers, and Other Transfers O&M Costs.

Please include the same documentation for applying the Wastewater Fact to Wastewater Treatment and Wastewater Treatment Support O&M, as asserted on page 30 of his testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

See Response to immediately prior RFP for development of factors.
Application of factors is shown on the following documents:

Column "Adj #23" of Schedule C-2 of Exhibit JJJ-3 – Petitioners COA WATER Cost of Service Model.xlsx on the Commission's Interchange under Item #128 DIRECT TESTIMONY OF JAY JOYCE (Native Files) in Docket No. 42857;

Tab "Adj #23" of JJJ-6 – Work Papers JJJ-3 – Adjustments – Water COS and Rev Rqmts.xlsx on the Commission's Interchange under Item #128 DIRECT TESTIMONY OF JAY JOYCE (Native Files) in Docket No. 42857;

Tab "Adj #23" of JJJ-7 – Work Papers JJJ-4 – Adjustments – WW Adjustment Template.xlsx on the Commission's Interchange under Item #128 DIRECT TESTIMONY OF JAY JOYCE (Native Files) in Docket No. 42857.

All documents previously produced by the City and provided to Jay Joyce for review.

38. Please provide all supporting documentation that shows the Joint Committee agreeing with Mr. Joyce's assessment that the costs of the reclaimed System should be fully recognized, as asserted on page 31 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 15, lines 1-10 and page 29, line 13 to page 31, line 7;

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 47-49 and 209-226;

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;

PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and

All documents previously produced by the City and provided to Jay Joyce for review.

39. Please provide all documents that support Mr. Joyce's conclusion on page 32 of his testimony, that the City is overstaffed. Please all documents that support Mr. Joyce's conclusion that the City should conduct a staffing study every five years.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 32 line 16 to page 33 line 4;

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 258, 260; and

All documents previously produced by the City and provided to Jay Joyce for review.

40. Please provide all documents that support Mr. Joyce's conclusion on page 33 of his testimony, that the City compensation is excessive.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 33, lines 8-25.

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 262-266; and

All documents previously produced by the City and provided to Jay Joyce for review.

41. Since all City employees are not part of the Austin Police Department, please provide other supporting documentation, besides the Austin Police Department pay schedule, to support the basis that the City overpays its employees, as asserted on page 33 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 33, lines 8-25.

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 262-266; and

All documents previously produced by the City and provided to Jay Joyce for review.

42. Please provide all documents that specifically show a hidden transfer from AWU to the City via Austin Energy, which was asserted on page 34 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 23 line 1 to page 25 line 12;

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp. 140-169;

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;

PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and

All documents previously produced by the City and provided to Jay Joyce for review.

43. Please provide all documents that support why Mr. Joyce's disagreement with the City's method of including depreciation in the cash basis. Please provide details as to how: 1) It unnecessarily adds to the complexity of the calculations; 2) It "does not make sense;" and 3) It has a minimal impact on the overall customer class cost allocation, as asserted on page 35 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, see Northtown's response to RFP No. 11. Northtown further directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7;

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650; and

All documents previously produced by the City and provided to Jay Joyce for review.

44. Please provide all documents that support Mr. Joyce's conclusion on page 36 of his testimony, that the costs for Lobbyists are not necessary to provide service to wholesale customers.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source.

Response: Notwithstanding and without waiving the objections noted above, see Northtown's response to RFP No. 11. Northtown further directs the City specifically to Ch. 24, §24.31(b)(2)(A).

45. Mr. Joyce states that the City's position for supporting the Revenue Stability Reserve Fund is a "ridiculous" position since the ONLY document provided shows absolutely no support for it. Please provide all documents that show that AWU does not need a reserve fund or an ending balance to have sufficient reserves to operate, as asserted on page 39 of his testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Northtown is unable to respond because Mr. Joyce did not state, "...that AWU does not need a reserve fund or an ending balance to have sufficient reserves to operate.." as asserted above.

46. Please provide supporting documentation for Mr. Joyce's conclusion that Austin Water should receive all of the profit from the sale of Green WTP instead of the City's General Fund. Please include documents that show that AWU owned the land where Green WTP was located, on page 40 of Jay Joyce's testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request mischaracterizes the testimony.

Response: Notwithstanding and without waiving the objections noted above, Northtown directs the City to the following documents which are equally obtainable by the City or already in the City's possession or the possession of its witnesses:

Direct Testimony of Jay Joyce at page 39, line 12 through page 40, line 23;

Direct Testimony of Jay Joyce, Exhibit JJJ-5, pp.336-343;

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-6, and Exhibit JJJ-7; and

All documents previously produced by the City and provided to Jay Joyce for review.

47. Please provide all documents that show AWU's "Utility-Wide Contingency" is an additional amount of "fluff;" as Mr. Joyce characterizes the line item, as asserted on page 44 of his testimony.

Objection: Northtown objects to this request on the following independent bases: the request is unduly burdensome because the information is equally available to the City and the documents are obtainable by the City from an alternative source; and the request is irrelevant to Northtown because it relates to wastewater service, which Northtown does not receive from the City.

Response: Notwithstanding and without waiving the objections noted above, see Northtown's response to RFP No. 11. Northtown further directs the City to the following documents which are already in the City's possession:

Direct Testimony of Jay Joyce at page 44, lines 7-15;

Direct Testimony of Jay Joyce, Exhibit JJJ-3, Exhibit JJJ-4, Exhibit JJJ-5, Exhibit JJJ-6, and Exhibit JJJ-7;

PFT of Greg Meszaros-4718 to PFT of Greg Meszaros-5408;

PFT of Greg Meszaros-6030 to PFT of Greg Meszaros-6650;

PFT of Greg Meszaros-1744 to PFT of Greg Meszaros-3331; and

All documents previously produced by the City and provided to Jay Joyce for review.