



Control Number: 43074



Item Number: 24

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RECEIVED

APPLICATION OF J&S WATER §
COMPANY, LLC AND UTILITIES §
INVESTMENT COMPANY, INC. FOR §
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN HARRIS COUNTY §

PUBLIC UTILITY COMMISSION 16
2015 AUG 11 PM 4:16
OF TEXAS UTILITY COMMISSION
FILING CLERK

COMMISSION STAFF'S FIRST REQUEST
FOR INFORMATION TO J&S WATER COMPANY, LLC
STAFF NOS. 1-1 THROUGH 1-5

To: J&S Water Company, LLC, through its authorized representative, Bret W. Fenner, P.O.
Box 500264, Austin, Texas 78750

Commission Staff of the Public Utility Commission of Texas requests that J&S Water
Company, LLC provide responses and produce documents in response to Staff's First Request for
Information (1st RFI). Provide an original and three (3) copies of your responses to:

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Date: August 11, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Shelah Cisneros
Managing Attorney
Legal Division



Sam Chang
State Bar No. 24078333
Attorney, Legal Division
Public Utility Commission of Texas

24

1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7261
(512) 936-7268 (facsimile)
sam.chang@puc.texas.gov

*Commission Staff of the Public Utility
Commission of Texas*

DOCKET NO. 43074

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on August 11, 2015, in accordance with 16 TAC § 22.74.



Sam Chang

**COMMISSION STAFF'S FIRST REQUEST
FOR INFORMATION TO J&S WATER COMPANY, LLC
STAFF NOS. 1-1 THROUGH 1-5**

INSTRUCTIONS

1. J&S Water's responses to Staff's 1st RFI shall be provided within the time limit provided by the presiding officer or, if the presiding officer has not provided a time limit, within twenty (20) days.
2. J&S Water's responses to Staff's 1st RFI shall be in sufficient detail to fully present all of the relevant facts.
3. Each response must be made under oath and identify the person that prepared the response or the person under whose direct supervision the response was prepared. Additionally, each response must also identify the sponsoring witness, if any.
4. Copy the specific question or document request immediately above each response. With respect to the production of documents, indicate the specific document request(s) to which the documents are being produced.
5. J&S Water has a continuing duty to supplement its responses to Staff's 1st RFI if it acquires information upon the basis of which it knows or should know that the response was incorrect or incomplete when made or though correct or complete when made, is materially incorrect or incomplete. J&S Water shall amend its prior response within five (5) working days of acquiring the information.
6. If any responsive Document, Electronically Stored Information, or tangible item is withheld under any claim of privilege, provide a privilege log identifying each Document for which a privilege is claimed, together with the following information:
 - a. Date of the Document was created;
 - b. Subject matter of the Document; and
 - c. The basis upon which such privilege is claimed.
7. Electronically Stored Information and Documents in an electronic format shall be produced with metadata intact.
8. If the response to any request is voluminous, provide a detailed index of the voluminous material and the means by which Staff may obtain the voluminous material.
9. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
10. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

11. The terms “and” and “or” shall be construed as either conjunctive or conjunctive as necessary to make the request inclusive rather than exclusive
12. Documents produced in response to Staff’s 1st RFI shall be Bates labeled.

**COMMISSION STAFF'S FIRST REQUEST
FOR INFORMATION TO J&S WATER COMPANY, LLC
STAFF NOS. 1-1 THROUGH 1-5**

DEFINITIONS

1. "J&S Water" means J&S Water Company, LLC and its subsidiaries, and any entity or person acting on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, independent contractors, or other persons.
2. "Document" is used in its broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description, whether printed, produced, or reproduced by any process (visually, magnetically, mechanically, electronically, or by hand); whether a final draft, initial draft, original copy, or reproduction; whether claimed as privileged or otherwise excludable from discovery; and whether or not in your actual or constructive possession, custody, or control. The term includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to Electronically Stored Information, correspondence, e-mails, telegrams, contracts, agreements, notes in any form, memoranda, reports, invoices, ledgers, spreadsheets, data, models, diaries, compilations, voice recording tapes, microfilms, pictures, computer media, workpapers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession.
3. "Electronically Stored Information" means data that is created, altered, communicated, and stored in digital form.
4. "Including" means and refers to "including but not limited to."
5. "Regarding" includes the following meanings: relating to, pertaining to, concerning, discussing, mentioning, containing, reflecting, evidencing, describing, showing, identifying, providing, disproving, consisting of, supporting, or contracting in any way legally, logically, or factually connected with the matter to which the term refers or having a tendency to prove or disprove the matter to which the term refers.
6. "TCEQ" means the Texas Commission on Environmental Quality.

**COMMISSION STAFF'S FIRST REQUEST
FOR INFORMATION TO J&S WATER COMPANY, LLC
STAFF NOS. 1-1 THROUGH 1-5**

**STAFF RFI
NO. 1-1** Refer to Page 19 of 28 of your application.

- a. Provide all Documents that show that the water system(s) being acquired has not reached 85% of its capacity;
- b. State whether the Azalea Estates Mobile Home Community has submitted a planning report to the Water Supply Division of the TCEQ regarding its water well capacity and pressure tank capacity.
- c. State whether the Azalea Estates Mobile Home Community has corrected all the capacity issues regarding its water well and pressure tank. If it has, provide all Documents regarding the correction of these capacity issues.

**STAFF RFI
NO. 1-2** Provide the most current inspection report for J&S Water Company.

**STAFF RFI
NO. 1-3** Provide Documents that show that any outstanding violations have been resolved. If outstanding violations have not been resolved, provide J&S Water Company's current correction plan and any response provided to the TCEQ to address any outstanding violations.

**STAFF RFI
NO. 1-4** Refer to the affidavits of notice filed on July 28, 2015. Provide copies of the map and notice that were sent out to parties entitled to receive notice.

**STAFF RFI
NO. 1-5** State whether any of the other water systems have reached 85% capacity based on TCEQ's minimum requirements.