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2016 APR -4 PM 2:01

COMPLAINT OF CAROL D.
GILLESPIE AGAINST AVALON
WATER SUPPLY AND SEWER
SERVICES CORPORATION
(37985-1)

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BEFORE THE PUBLIC UTILITY COMMISSION
FILING CLERK
PUBLIC UTILITY COMMISSION
OF TEXAS

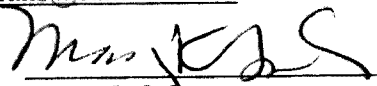
**RESPONDENT AVALON'S OBJECTIONS TO COMPLAINANT GILLESPIE'S FIRST
REQUEST FOR INFORMATION**

TO: Carol D. Gillespie, by and through her counsel of record, Helen Gilbert, Gilbert Wilburn,
PLLC, 7000 N. MoPac Expwy, Suite 200, Austin, Texas 78731.

Respondent Avalon Water Supply and Sewer Services Corporation (Avalon) files these its
Objections to Complainant Gillespie's First Request for Information.

Respectfully submitted,
MARY K. SAHS, P.C.


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By: 
Mary K. Sahs
State Bar No. 17522300

ATTORNEY FOR RESPONDENT,
AVALON WATER SUPPLY AND
SEWER SERVICE
CORPORATION


CERTIFICATE OF SERVICE

I certify that, on April 4, 2016, I have served a copy of this filing upon all known parties of record via email with read receipt requested per SOAH Order No. 2.


Mary K. Sabs

CERTIFICATE OF CONFERENCE

By my signature, below, I certify that counsel for Avalon Water Supply and Sewer Corporation, as required by PUC Rule 22.144(d), has made diligent and good faith efforts to negotiate resolution of these Objections with counsel for Carol D. Gillespie, Helen Gilbert.


Mary K. Sabs

OBJECTIONS

REQUESTS FOR PRODUCTION:

Request for Production 1-1. Please provide the ballot applications filed with the corporation for the elections that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016, including all director positions.

OBJECTION: None

Request for Production 1-2. Please provide the corporation's notification to the members of the corporation of the ballot application deadline for the elections that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-3. Please provide the notice of the corporation's annual meetings for years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-4. Please provide the election ballot for the corporation's election that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-5. Please provide the statement of each candidate's qualifications, including biological information, for the corporation's elections that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-6. Please provide the board of the corporation's order or resolution calling the corporation's annual meeting for the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-7. Please provide the board of the corporation's order or resolution calling the corporation's director elections that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-8. Please provide all ballots received for the corporation's director elections for the elections that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-9. Please provide the independent election auditor's written report of the election results for the elections that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-10. Please provide the written procedures that the corporation's board adopted for conducting the corporation's annual meeting in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-11. Please provide the board of the corporation's order or resolution approving the ballot form used for the corporation's annual or special meetings in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-12. Please provide the board of the corporation's order or resolution selecting the independent election auditor for the corporation's elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-13. Please provide the board of the corporation's order or resolution adopting the corporation's budget for the fiscal years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-14. Please provide the board of the corporation's bank statements for the fiscal years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-15. Please provide the corporation's budget for the fiscal years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-16. Please provide each director candidate's signed statement of the person's qualifications, including a statement that the person has the qualifications prescribed by Texas Water Code Section 67.0051, for the corporation's elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-17. Please provide each director candidate's written consent to serve for the corporation's director elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-18. Please provide any notice of defects in the candidate applications for the corporation's director elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-19. Please provide the drafts of the ballot that the credentials committee presented to the corporation's board for the elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-20. Please provide the drafts of the annual meeting agenda that the credentials committee presented to the corporation's board for the elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-21. Please provide the drafts of the meeting packets for the annual meeting the credentials committee presented to the corporation's board for the elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-22. Please provide the voting roster for the corporation's elections conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-23. Please provide the meeting packet that was mailed to each voting member for any member meeting that the corporation conducted in the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-24. Please provide the certified agenda of each closed meeting or executive session of the corporation's board of directors for the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: Avalon objects on the basis that a certified agenda of a closed meeting or executive session of the corporation's board of directors is confidential under Texas Government Code section 551.104, which provides for court-ordered access to such a certified agenda only under specific circumstances set out in the statute.

Request for Production 1-25. Please provide the recording of each closed meeting of the corporation's board of directors for the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: Avalon objects on the basis that a recording of a closed meeting or executive session of the corporation's board of directors is confidential under Texas Government Code section 551.104, which provides for court-ordered access to such a recording only under specific circumstances set out in the statute.

Request for Production 1-26. Please provide a copy of the corporation's membership transfer book.

OBJECTION: None

Request for Production 1-27. Please provide a copy of the corporation's annual report of financial activity for the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-28. Please provide a copy of the corporation's federal tax return for the years 2011, 2012, 2013, 2014, 2015, and 2016.

OBJECTION: None

Request for Production 1-29. Please provide all electronic mail or emails of Avalon staff to Directors of the Board and from Board Directors to Avalon staff from January 1, 2011-present.

OBJECTION: To the extent that any such electronic mail or email is not in connection with the transaction of official business as defined in Texas Government Code section 552.002(a-1) Avalon objects on the basis that such documents are not relevant and are not reasonably calculated to lead to the discovery of admissible evidence in this docket. Tex. R. Civ. Proc. 192.3(a); Tex. R. Evid. 401.

Request for Production 1-30. Please provide all written, taped or videotaped minutes of member meetings, director meetings, annual, special and emergency meetings from January 1, 2011-present.

OBJECTION: None

Request for Production 1-31. Please provide all notices of member meetings, director meetings, annual, special and emergency meetings from January 1, 2011-present.

OBJECTION: None

Request for Production 1-32. Please provide all video tape recordings of all member meetings, director meetings, annual, special and emergency meetings from January 1, 2011-present.

OBJECTION: None

Request for Production 1-33. Please provide all Board of Directors' notes from January 1, 2011-present.

OBJECTION: To the extent that any such notes were not made in connection with the transaction of official business as defined in Texas Government Code section 552.002(a-1) Avalon objects on the basis that such documents are not relevant and are not reasonably calculated to lead to the discovery of admissible evidence in this docket. Tex. R. Civ. Proc. 192.3(a); Tex. R. Evid. 401.

Request for Production 1-34. Please provide all notes by Avalon staff from January 1, 2011-present.

OBJECTION: To the extent that any such notes were not made in connection with the transaction of official business as defined in Texas Government Code section 552.002(a-1) Avalon objects on the basis that such documents are not relevant and are not reasonably calculated to lead to the discovery of admissible evidence in this docket. Tex. R. Civ. Proc. 192.3(a); Tex. R. Evid. 401.

Request for Production 1-35. Please provide all electronic mail or emails between Directors of the Board from January 1, 2011-present.

OBJECTION: To the extent that any such electronic mail or email is not in connection with the transaction of official business as defined in Texas Government Code section 552.002(a-1) Avalon objects on the basis that such documents are not relevant and are not reasonably calculated to lead to the discovery of admissible evidence in this docket. Tex. R. Civ. Proc. 192.3(a); Tex. R. Evid. 401.