



Control Number: 43781



Item Number: 223

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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. 582-03-1994  
TCEQ DOCKET NO. 2002-1350-UCR

**4378** RECEIVED  
2014 DEC 16 PM 12:29  
PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF THE TOWN OF  
PROSPER TO AMEND SEWER  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY (CCN) NO. 20888  
IN DENTON COUNTY, APPLICATION  
NO. 34004-C

§ BEFORE THE STATE OFFICE  
§  
§ OF  
§ ADMINISTRATIVE HEARINGS  
§

**PREFILED TESTIMONY  
OF  
RANDEL L. DOBBS, P.E., R.P.L.S.**

**ON BEHALF OF THE  
TOWN OF PROSPER**

**JULY 25, 2003**

**APP EX. 104**

RECEIVED  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
2003 JUL 25 1:37

*203*

**PREFILED TESTIMONY OF  
RANDEL L. DOBBS, P.E., R.P.L.S.**

**TABLE OF CONTENTS**

<u>SECTION</u>	<u>PAGE</u>
I. INTRODUCTION AND QUALIFICATIONS.....	1
II. SCOPE AND PURPOSE OF TESTIMONY.....	5
III. TESTIMONY.....	6

**SOAH DOCKET NO. 582-03-1994  
TCEQ DOCKET NO. 2002-1350-UCR**

<b>APPLICATION OF THE TOWN OF PROSPER TO AMEND SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 20888 IN DENTON COUNTY, APPLICATION NO. 34004-C</b>	<b>§ § § § § §</b>	<b>BEFORE THE STATE OFFICE  OF  ADMINISTRATIVE HEARINGS</b>
---	--	---

**PREFILED TESTIMONY OF  
RANDEL L. DOBBS, P.E., R.P.L.S.**

**I. INTRODUCTION AND QUALIFICATIONS**

1

2 **Q. WHAT IS YOUR NAME?**

2

3 A. My name is Randel L. Dobbs, P.E., R.P.L.S.

3

4

5 **Q. WHAT IS YOUR BUSINESS ADDRESS AND TELEPHONE NUMBER?**

5

6 A. My business address is 505 East Brown Street, Wylie, Texas, 75098. My business  
7 telephone number is (972) 442-5405.

6

7

8

9 **Q. WHAT IS YOUR OCCUPATION?**

9

10 A. I am the Planning Officer for the North Texas Municipal Water District (the  
11 "District" or "NTMWD").

10

11

1 **Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND.**

2 A. I received a Bachelor of Science in Civil Engineering in 1976 from Texas A&M  
3 University.

4

5 **Q. ARE YOU A LICENSED PROFESSIONAL ENGINEER?**

6 A. Yes. I am a licensed professional engineer in the State of Texas.

7

8 **Q. WHEN DID YOU BECOME A LICENSED PROFESSIONAL ENGINEER?**

9 A. I have been licensed in the State of Texas since 1981. My professional engineering  
10 license number is 49267.

11

12 **Q. DO YOU HOLD ANY OTHER LICENSES OR REGISTRATIONS?**

13 A. Yes. I am also a registered professional land surveyor in the State of Texas. My  
14 registration number is 4623.

15

16 **Q. HOW LONG HAVE YOU BEEN WITH THE DISTRICT?**

17 A. I have been with the District since 1997. I was the Assistant Engineering Officer  
18 from May 1997 through May 1998. I was the District's Engineering Officer from  
19 May 1998 through April 2003, and I have been the District's Planning Officer since  
20 April 2003.

1 **Q. WHAT ARE YOUR JOB RESPONSIBILITIES?**

2 A. As the District's Planning Officer, I am responsible for the management and  
3 supervision of the District's Planning Department. The staff of the District's  
4 Planning Department includes the Assistant Planning Officer, a professional engineer,  
5 a registered professional land surveyor, a senior planning analyst, two land agents, a  
6 survey technician, and an administrative assistant.

7

8 **Q. WHAT IS THE FUNCTION OF THE DISTRICT'S PLANNING**  
9 **DEPARTMENT?**

10 A. The Planning Department is responsible for the short-term and long-term planning for  
11 the water, wastewater, and solid waste operating systems. The Department tracks the  
12 growth of the District's service area through population projections, requests for new  
13 or expanded service, land use changes, and changes in the total usage by the members  
14 and customers of the three operating systems. The services provided by the Planning  
15 Department include short-term and long-term planning for water resources  
16 development, water rights, water treatment and distribution, wastewater treatment  
17 plants, wastewater collection, solid waste landfills, and solid waste transfer stations.  
18 The Department also maintains the master plans for the water, wastewater and solid  
19 waste systems and updates and tracks the capital improvement programs for the  
20 systems as well as providing the data for updating the rate models. The Department  
21 maintains and upgrades the District's water conservation and drought contingency  
22 policy, provides mapping and graphics support for the District, acquires any needed  
23 real estate and rights-of-way, maintains the District's library, develops vulnerability

1 assessments for the District's facilities, and acts as liaison to the members and  
2 customers, planning groups, and other governmental agencies.

3

4 **Q. WHAT IS YOUR PREVIOUS EMPLOYMENT HISTORY?**

5 A. The following briefly summarizes my employment history prior to joining the  
6 District: Assistant City Engineer for the City of Richardson (1996 through 1997);  
7 Town Engineer for the Town of Highland Park (1991 through 1996); Senior Civil  
8 Engineer for the City of Garland Engineering Department (1987 through 1991);  
9 Manager, Kindle, Stone & Associates, Inc. (1985 through 1987); City Engineer for  
10 the City of Farmers Branch (1983 through 1985); Project Engineer for B.L. Nelson  
11 Associates, Inc. (1982 through 1983); Engineering Designer II for the City of Farmers  
12 Branch Department of Public Works (1981 through 1982); Project Engineer,  
13 Henningson, Durham & Richardson, Inc. (1980 through 1981); Design Engineer, C.L.  
14 Moon, Inc. (1979 through 1980); and Civil Engineer for Dallas Water Utilities (1976  
15 through 1979).

16

17 **Q. IS YOUR RESUME ATTACHED TO THIS PREFILED TESTIMONY?**

18 A. Yes. It is attached as Attachment RLD-1.

1 Q. IS THE INFORMATION IN YOUR RESUME, CONTAINED IN  
2 ATTACHMENT RLD-1, AN ACCURATE REFLECTION OF YOUR  
3 EDUCATION, PROFESSIONAL HISTORY, AND QUALIFICATIONS?

4 A. Yes.

5

6 Q. ARE YOU FAMILIAR WITH THE TOWN OF PROSPER'S REQUEST FOR  
7 AN AMENDMENT TO ITS CERTIFICATE OF CONVENIENCE AND  
8 NECESSITY NO. 20888?

9 A. Yes, I am generally familiar with the application.

10

11 Q. ARE YOU FAMILIAR WITH THE TEXAS COMMISSION ON  
12 ENVIRONMENTAL QUALITY ("TCEQ") REGULATIONS CONCERNING  
13 CERTIFICATIONS OF CONVENIENCE AND NECESSITY?

14 A. Yes.

15

## II. SCOPE AND PURPOSE OF TESTIMONY

16 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY TODAY?

17 A. The purpose of my testimony today is to discuss the relationship between Prosper and  
18 NTMWD as well as any contracts that are either currently in place or proposed  
19 between Prosper and NTMWD.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

III. TESTIMONY

Q. PLEASE DESCRIBE THE EXISTING RELATIONSHIP BETWEEN PROSPER AND THE DISTRICT.

A. Prosper approached NTMWD as well as the City of Frisco seeking contracts for the provision of water and wastewater transportation and treatment capacity. NTMWD is agreeable to such contracts and has recently executed a contract that will supply Prosper with a permanent source of surface water. There are additional contracts being drafted for the provision of wastewater transportation and wastewater treatment services. Prosper is roughly split between two drainage basins. The eastern one-third of Prosper naturally drains to Wilson Creek and the District's Upper East Fork Interceptor System and the Wilson Creek Regional Wastewater Treatment Plant. The western two-thirds of Prosper naturally drains to Doe Creek and Panther Creek, and this area could be easily served by the District's proposed Panther Creek Wastewater Treatment Plant. The Prosper service area was specifically noted in the Panther Creek Wastewater Treatment Plant permit application and the plant was sized to provide this service. NTMWD has the ability to provide Prosper with wastewater treatment plant capacity within two years.

Additionally, I am aware that Prosper recently executed a contract with the City of Frisco for interim surface water supply.

1 Q. PLEASE PROVIDE THE SPECIFICS OF THE PROPOSED STUDY FOR  
2 SERVICE TO THE PANTHER CREEK/DOE CREEK DRAINAGE AREA  
3 AND THE PROPOSED PANTHER CREEK REGIONAL WASTEWATER  
4 TREATMENT PLANT.

5 A. As noted in the Panther Creek Wastewater Treatment Plant permit application, this  
6 facility was designed and permitted as a regional facility. The District is developing  
7 an engineering services agreement to assess regional service issues associated with  
8 the Panther Creek Wastewater Treatment Plant site. The District currently holds a  
9 wastewater treatment discharge permit for five million gallons per day initially and  
10 ten million gallons per day for Phase II construction for the Panther Creek  
11 Wastewater Treatment Plant. The Panther Creek Wastewater Treatment Plant was  
12 proposed originally for service to the City of Frisco and the Town of Prosper. The  
13 Panther Creek Wastewater Treatment Plant will serve drainage basins that include  
14 several of the surrounding cities, including Frisco and Prosper. Additionally, with the  
15 growth of the area and in order to optimize the District's various regional collection  
16 and treatment systems, it is advantageous for the District to develop the Panther  
17 Creek site as a regional facility. By making the Panther Creek Wastewater Treatment  
18 Plant a regional facility, it allows for other partners to participate in the capital  
19 financing as well as with the annual operation and maintenance costs. This type of  
20 arrangement would be advantageous to both Frisco and any additional members of  
21 the proposed regional system. There is the opportunity for Frisco and Prosper to  
22 utilize a common regional lift station and force main to the Panther Creek Wastewater  
23 Treatment Plant since both cities have area within the Doe Creek and Panther Creek

1 Drainage Basins. The lift station would be located near the area at the northwest  
2 corner of the Frisco City limits and the southwest corner of the Prosper City limits.  
3 The topography in that area lends itself to a common lift station site that could pump  
4 all of the wastewater from the Frisco/Prosper area that is in Doe Creek and Panther  
5 Creek Basins. The lift station and force main would be included in the regional  
6 wastewater collection system. The proposed study will examine the feasibility of  
7 developing a regional wastewater collection system with the Panther Creek  
8 Wastewater Treatment Plant constructed as a regional treatment facility. The  
9 potential members of this system could be the cities of Frisco, Prosper, Little Elm,  
10 The Colony, and Plano.

11  
12 **Q. PLEASE PROVIDE THE SPECIFICS OF THE PROPOSED WASTEWATER**  
13 **TRANSPORTATION CONTRACT AND THE WASTEWATER**  
14 **TREATMENT CONTRACT.**

15 A. Pursuant to the wastewater interceptor system (transportation) contract, the District  
16 will provide, manage, operate, and maintain a regional interceptor wastewater  
17 collection system to collect and transport wastewater flows from the System's  
18 member and customer cities to the Regional Wastewater Treatment System's plants  
19 for treatment and discharge. ~~In all likelihood, Prosper will participate in this contract.~~

20 Pursuant to the wastewater treatment contract, the District will provide,  
21 manage, operate, and maintain a Regional Wastewater Treatment System necessary  
22 for providing adequate, efficient, and economical service to the Member Cities. ~~In all~~  
23 ~~likelihood, Prosper will participate in this contract.~~ The contract would allow Prosper

1 to discharge up to 4,960,000 gallons per day of wastewater from its sewer system into  
2 the District's system, provided that the wastewater meets the requirements for  
3 quantity and quality set forth in the contract and as it is permitted to deliver to the  
4 District for transportation pursuant to the transportation contract discussed above.

5  
6 **Q. WHAT IS THE TERM IN THE PROPOSED CONTRACTS?**

7 A. The contracts would be in force from the effective date at least until the principal and  
8 interest on all bonds have been paid in full and thereafter throughout the useful life of  
9 the Regional Wastewater System.

10  
11 **Q. WHY WOULD PROSPER SEEK A CONTRACT WITH THE DISTRICT?**

12 A. The District is a regional provider of treated water, wastewater, and solid waste  
13 services. Prosper is situated within the planning area of the District and it is easily  
14 accessible to the services provided by the District. The District should be able to  
15 provide wastewater transportation and treatment more economically and efficiently  
16 through the regional systems than if Prosper were to seek to provide those same  
17 services alone. By Prosper contracting with the District for wastewater transportation  
18 and treatment, it would eliminate the need for Prosper to construct, operate and  
19 maintain its own wastewater treatment facilities to serve the Proposed Service  
20 Territory. It eliminates the proliferation of numerous small treatment facilities, and  
21 allows for wastewater treatment to be provided in larger regional facilities with better  
22 control on environmental quality.

1 Q. DO YOU BELIEVE THAT WITH THE PROPOSED CONTRACT PROSPER  
2 CAN PROVIDE CONTINOUS AND ADEQUATE SERVICE TO ALL OF ITS  
3 CUSTOMERS?

4 A. Yes.

5

6 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

7 A. Yes.

**RANDEL L. DOBBS, P.E., R.P.L.S.**

309 Rustic Ridge Drive  
Garland, Texas 75040  
Phone: 972-414-1154

**EDUCATION**

1968-1972: Forney High School, Forney, Texas  
1972-1976: Texas A&M University, College Station, Texas  
B.S. Degree in Civil Engineering, December, 1976

**REGISTRATION**

Texas Registered Professional Engineer No. 49267  
Texas Registered Professional Land Surveyor No. 4623

**PROFESSIONAL EXPERIENCE**

My experience is in various areas of civil design, municipal administration, construction management, utility management and residential and commercial development. My design experience includes paving, drainage, water and sanitary sewer facilities. I have been involved in various phases of civil engineering design and project management with several municipalities and private consulting firms.

April 2003 – Present

Planning Officer – North Texas Municipal Water District.

As Planning Officer I am responsible for managing and supervising all personnel in the Planning Department including the Assistant Planning Officer, a professional engineer, a registered professional surveyor, a senior planning analyst, two land agents, a survey technician, and an administrative assistant. The services provided by the Planning Department include short and long-term planning for water resources development, water rights, water treatment and distribution, wastewater treatment plants, wastewater collection, solid waste landfills, and solid waste transfer stations. The department also maintains the master plans for the water, wastewater and solid waste systems and updates and tracks the capital improvement programs for the systems as well as providing the data for updating the rate models. The department maintains and upgrades the District's water conservation and drought contingency policy, provides mapping and graphics support for the District, acquires any needed real estate and rights-of-way, maintains the District's library, develops vulnerability assessments for the District' facilities, and acts

as liaison to the members and customers, planning groups, and other governmental agencies.

May 1997 – April 2003

Assistant Engineer Officer/Engineer Officer – North Texas Municipal Water District. I was promoted from Assistant Engineering Officer to Engineering Officer in May 1998. Responsible for the management and supervision of the NTMWD's Engineering System. The staff includes an assistant, ten engineers, a registered surveyor, three technicians, a land agent, eight construction inspectors, a line locator and an administrative assistant. The Engineering System is responsible for the engineering and technical support of the water, wastewater, and solid waste operating systems. The primary mission in the management of approximately \$300 million in design/construction projects for replacement and upgrades to the operating systems to keep pace with the growth that continues in the member and customer cities. The Engineering System also is responsible for management of long term and short-term studies for the three operating system to insure that planning efforts are keeping pace with the growth and demands in the three operating systems. Engineering provides direct technical support and management for the daily operations and maintenance of the systems.

1996 –1997

Assistant City Engineer – City of Richardson. Responsible for the management and supervision of the development engineer, two engineering technicians, construction manager, five construction inspectors and the administrative secretary. I acted as a project engineer on design and construction contracts. I managed and provided support for department functions such as inspections, quality control of all construction projects, preparation of design and contract documents, maintenance of engineering maps and records, floodplain management, annual department budget, acquisition of easements and right-of-way, liaison with private utility companies, preparation of construction standards, review of designs and issuance of permits for utility construction within the city.

1991 –1996

Town Engineer – Town of Highland Park. Responsible for providing engineering support to all of the operating departments in the town including public works – streets, water, sanitary sewer, storm drainage, and street lighting, sanitation, parks, and public safety. Directly responsible for the operation of the town's traffic signals, water, sanitary sewer, and drainage systems. Responsible for the capital projects including the design and the construction of paving, drainage, water, and sanitary sewer projects. I served as the town's liaison to TxDOT for the North Central Expressway reconstruction, the City of Dallas, the City of University Park, Dallas County Park Cities Municipal Utility District, the supplier of the town's treated water, USEPA, and the TNRCC. Responsible for the maintenance of the town's GIS and CAD system.

1987 – 1991

Senior Civil Engineer – City of Garland Engineer Department. Responsible for the management of the design staff for the engineering department. The staff included the city's cartographer, three design technicians, a drafter, and the chief technician. Responsible for production of approximately five million of in-house design projects. Promoted to Senior Field Engineer in the fall of 1988. Responsible for the management of approximately \$15-20 million of annual CIP construction and five million of subdivision construction with the inspection staff of one chief inspector and four inspectors. I also managed the cities survey crew.

1985 – 1987

Kindle, Stone & Associates, Inc., Manager of the Dallas Branch office. Responsible for management of the Dallas Branch office including marketing, overall project management, budgeting, financial management, and supervision of technical and support staff.

1983 – 1985

City of Farmers Branch – City Engineer. Responsible for the management of the Engineering Department including all phases of municipal engineering including development plan review, city project design and construction, consultant design management, and engineering support to all city departments.

1982 – 1983

B. L. Nelson Associates, Inc., Dallas, Texas – Project Engineer. Responsible for numerous private development and city projects, boundary surveys, plats, site plans, construction plan design, and all stages of development plan preparation.

1981 – 1982

City of Farmers Branch – Engineering Designer II, Department of Public Works. Responsibilities include construction plan and plat review, project design, construction management and facilities management.

1980 – 1981

Henningson, Durham & Richardson, Inc., Dallas, Texas – Project Engineer. Responsible for facilities design, preparation of construction plans and specifications, and project management and coordination.

1979 – 1980



C. L. Moon, Inc., Dallas, Texas – Design Engineer. Responsibilities include design and construction plan preparation for topography maps, property surveys, drainage maps, water, sanitary sewer, storm drainage, and paving facilities, grading plans and cost estimation for private and public projects.

1976 – 1979

Dallas Water Utilities, Dallas, Texas – Civil Engineer. Responsibilities included design of water and sanitary sewer mains and related structures, utility relocation design, construction management, facility planning area studies for federal programs, infiltration/inflow analyses, sanitary sewer television inspections, and feasibility analysis of new construction materials and methods.

### **PROFESSIONAL ACTIVITIES**

Texas Society of Professional Surveyors  
American Water Works Association