

Control Number: 43922



Item Number: 40

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
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



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION**
*ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE
PLEASE PRINT CLEARLY*



Date: _____

Name: _____

Occupation: _____

Mailing Address: _____
Street or P.O. Box

City _____ State _____ Zip _____

Daytime Phone: () _____ Fax #: () _____

E-Mail address (if available): _____

Representing: Self Other (specify): _____

Title of matter being considered: _____

SOAH Docket No. (if known): _____

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION**
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Date: 8/10/09

Name: John T. Bell

Occupation: Retired

Mailing Address: 8128 Forres Ct.
Street or P.O. Box

Cleburne Tx 76033
City State Zip

Daytime Phone: (817) 645-6436 Fax #: ()

E-Mail address (if available): jtbell@sbcglobal.net

Representing: Self Other (specify): Retreat Homeowners Group

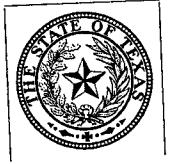
Title of matter being considered: Water Rate Change Application

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION**
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Date: 8/4/09

Name: James Murphy

Occupation: Asst. Public Interest Counsel

Mailing Address: PO Box 13087 MC-103
Street or P.O. Box

Austin TX 78711-3087
City State Zip

Daytime Phone: (512) 239-4014 Fax #: (512) 239-6377

E-Mail address (if available): JMurphy@tcag.state.tx.us

Representing: Self Other (specify): TRC Office of Public Interest Counsel

Title of matter being considered: Double Diamond Utilities Co.

SOAH Docket No. (if known): 2009-0505-UCR

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8-4-2009

Name: Ali Abazari Abazari

Occupation: Attorney

Mailing Address: 100 Congress Ave. Ste. 1100
Street or P.O. Box

Dustin City Tx State 78701 Zip

Daytime Phone: (512) 236-2239 Fax #: (512) 391-2197

E-Mail address (if available): alabazari

Representing: Self Other (specify): Double Diamond Utilities, Inc.

Title of matter being considered: 17110 Rate Matter

SOAH Docket No. (if known): 582-09-4294

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8.4.09

Name: Randy Gracy

Occupation: President - Dallas Diamond Utilities Inc

Mailing Address: 10100 N Central Expwy #600
Street or P.O. Box

Dallas TX 75243
City State Zip

Daytime Phone: (214) 706-9801 Fax #: ()

E-Mail address (if available): Rgracy@ddresorts.com

Representing: Self Other (specify): DDU

Title of matter being considered: DDU Rate Increase application

SOAH Docket No. (if known): _____

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION**
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Date: 8/4/09

Name: _____

Occupation: _____

Mailing Address: _____
Street or P.O. Box

_____ City State Zip

Daytime Phone: () _____ Fax #: () _____

E-Mail address (if available): _____

Representing: Self Other (specify): ED

Title of matter being considered: Double Diamond Utilities Co.

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8/4/09

Name: _____

Occupation: _____

Mailing Address: _____
Street or P.O. Box

City _____ State _____ Zip _____

Daytime Phone: () _____ Fax #: () _____

E-Mail address (if available): _____

Representing: Self Other (specify): ED

Title of matter being considered: Double Diamond Utilities

SOAH Docket No. (if known): 82-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION
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Date: _____

Name: _____

Occupation: _____

Mailing Address: _____

Street or P.O. Box

City

State

Zip

Daytime Phone: () _____ Fax #: () _____

E-Mail address (if available): _____

Representing: Self Other (specify): E.P.

Title of matter being considered: Rate case for Dodge Diamond

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer

*non-party
attendees*



STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8/4/09

Name: W.H. Wendus, Jr.

Occupation: Retired

Mailing Address: 9025 Blesville
Street or P.O. Box

Wichita City TX State 76602 Zip

Daytime Phone: (254) 624-3074 Fax #: () None

E-Mail address (if available): bckendajr@windstream.net

Representing: Self Other (specify): _____

Title of matter being considered: Water rate increase

SOAH Docket No. (if known): 2009-0505-000

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION**
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Date: Aug 4th 2009

Name: Carolyn V. Hendricks

Occupation: —

Mailing Address: 9025 Pleasant Dr
Street or P.O. Box

Whitney City Tx State 76069 Zip

Daytime Phone: (254) 694-3064 Fax #: ()

E-Mail address (if available): BCHendricks@windstream.net

Representing: Self Other (specify): _____

Title of matter being considered: Water Board Hearing

SOAH Docket No. (if known): 2008-0505 O&B

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: Oct 4, 2009

Name: John Weatherman

Occupation: Retired

Mailing Address: 32002 Dore Trail
Street or P.O. Box

Whitney TX 76692
City State Zip

Daytime Phone: (254) 694-6640 Fax #: ()

E-Mail address (if available): lelatjohn1@windstream.net

Representing: Self Other (specify): WB Rate Payee

Title of matter being considered: Water Rate Request

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION**
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Date: _____

Name: _____

Occupation: _____

Mailing Address: _____

Street or P.O. Box

City

State

Zip

Daytime Phone: () _____ Fax #: () _____

E-Mail address (if available): _____

Representing: Self Other (specify): _____

Title of matter being considered: _____

SOAH Docket No. (if known): _____

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: AUG 4 2008

Name: DAVID SCHUMAKER

Occupation: RETIRED

Mailing Address: 178 LONG BRANCH
Street or P.O. Box

SPRING BRANCH TX 77870
City State Zip

Daytime Phone: (830) 835-7048 Fax #: ()

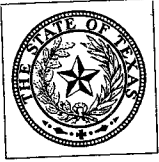
E-Mail address (if available): d.schu@gvjc.com

Representing: Self Other (specify): _____

Title of matter being considered: DOUBLE DIAMOND

SOAH Docket No. (if known): SP2-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8-4-09

Name: PAUL GRAP

Occupation: ENGINEER

Mailing Address: 150 PLAYER RIDGE
Street or P.O. Box

SPRING BRANCH TX 78070
City State Zip

Daytime Phone: (830) 980-7906 Fax #: (830) 438-7009

E-Mail address (if available): PAULGRAP@GVTC

Representing: Self Other (specify): _____

Title of matter being considered: DOUBLE DIAMOND WATER ROSE INC

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8/4/09

Name: Billie Day

Occupation: Retired

Mailing Address: 90 Glen Abbey Dr. So.
Street or P.O. Box

Graford TX 76449
City State Zip

Daytime Phone: (940) 779-9296 Fax #: ()

E-Mail address (if available): pbday@nsb-pklake.com

Representing: Self Other (specify): The Cliff's at PK resident rate payers

Title of matter being considered: Water rate increase

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: August 4, 2007

Name: Thomas Gibson

Occupation: Retired

Mailing Address: 34082 Stonewood Ct.
Street or P.O. Box

Whitney TX 76692
City State Zip

Daytime Phone: (254) 694-7697

Fax #: () _____

E-Mail address (if available): _____

Representing: Self Other (specify): White Bluff Rate payers

Title of matter being considered: Water Rate Change Application

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8-3-2009

Name: JOHN E. BASS

Occupation: SELF-EMPLOYED

Mailing Address: 140 TIMBERLINE DR. W HITNEY, TX 76692
Street or P.O. Box
W HITNEY TX 76692
City State Zip

Daytime Phone: 854) 694-3923 Fax #: 854) 694-5623

E-Mail address (if available): JOHNBASS1@WINDSTREAM.NET

Representing: Self Other (specify): WHITE BLUFF RATE PAYERS

Title of matter being considered: WATER RATE INCREASE

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



STATE OFFICE OF ADMINISTRATIVE HEARINGS
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Date: 8/4/09

Name: SHARI HEINO

Occupation: ATTORNEY

Mailing Address: 327 CONGRESS #300
Street or P.O. Box

AUSTIN TX 78701
City State Zip

Daytime Phone: (512) 404-7800 Fax #: (512) 703-2785

E-Mail address (if available): SHARI @ MANDF.COM

Representing: Self Other (specify): WHITE BLUFF SUBDIVISION RATEPAYERS

Title of matter being considered: APPLICATION FOR WATER RATE CHANGE - DOUBLE DIAMOND UTILITIES

SOAH Docket No. (if known): 2009-0505-UCR

Your position regarding the matter being considered: In Favor Opposed Undecided Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION**
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Date: 8/4/09

Name: PHILLIP DAY

Occupation: RETIRED

Mailing Address: 90 GLEN ABBEY DR S.
Street or P.O. Box

GRAFORD TX 76449
City State Zip

Daytime Phone: (940) 779-9296 Fax #: ()

E-Mail address (if available): pbday@nsb-pklake.com

Representing: Self Other (specify): THE CLIFFS AT PK RES. RATEPAYERS

Title of matter being considered: WATER RATE INCREASE

SOAH Docket No. (if known): 582-09-4288

Your position regarding the matter being considered: In Favor Opposed Undecided Observer

*The Cliffs ~~NSB~~
Utilities Committee*

Subject to and without waiving the foregoing objections, DDU responds that documents responsive to this request have already been produced. DDU reserves the right to supplement this response at a later date.

3. Please provide the relevant portions of DDU's general ledgers for any relevant year showing installation of each asset claimed as part of this Application.

RESPONSE:

DDU responds that responsive, non-objectionable documents, if any, have already been or will be produced.

4. Please provide the relevant portions of DDU's general ledgers for any relevant year showing (1) each loan made to DDU at the time the loan was initiated and (2) how the funds from each of those loans were spent.

RESPONSE:

DDU responds that responsive, non-objectionable documents, if any, will be produced.

5. Please provide DDU's books and general ledgers for the test year at issue in this Application.

RESPONSE:

DDU objects to this request as overly broad and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it calls for irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. Only documents concerning the White Bluff, Retreat and The Cliffs systems are potentially relevant to DDU's Application.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents have already been produced. DDU reserves the right to supplement this response.

6. Please provide Double Diamond Delaware, Inc's books and general ledgers for the test year at issue in this Application.

RESPONSE:

DDU objects to this request as overly broad and not properly limited in scope or relation to the facts at issue in this proceeding. DDU further objects to this request to the extent it seeks irrelevant information that is not reasonably calculated to lead

to the discovery of admissible evidence. All of Double Diamond Delaware, Inc.'s books and general ledgers for the test year are not relevant to DDU's Application.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents have already been produced. DDU reserves the right to supplement this response.

7. Please provide all data and analysis which DDU intends to use to illustrate that DDU systems are substantially similar as required by Tex. Water Code §13.145(a).

RESPONSE:

DDU objects to this request as overly broad. DDU is not required to marshal its evidence in responding to discovery.

Subject to and without waiving the foregoing objection, DDU responds that responsive, non-objectionable documents have already been or will be produced.

8. Please provide Attachment 1-D (consumption and count by customer class, by month, by consumption block) in larger format and/or electronic format that is legible.

RESPONSE:

DDU objects to this request as vague and ambiguous to the extent that White Bluff does not identify to which document Attachment 1-D is attached. DDU further objects to this request to the extent it requests that DDU create a new document, which is not a proper request for production.

Subject to and without waiving the foregoing objection, DDU responds that assuming White Bluff is referring to Attachment 1-D to its previous responses to White Bluff's discovery requests, an electronic copy of the Attachment 1-D has already been produced.

9. Please provide historical water pumpage data since 2006, by day, by well site.

RESPONSE:

DDU objects to this request as overly broad and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. Only historical water pumpage data for the White Bluff, The Cliffs and Retreat systems are potentially relevant to this matter. Further, only water pumpage data from 2006 and 2007 are potentially relevant to this matter.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents, if any, will be produced.

10. Please all provide invoices or bills and records of payment for all connections serving an affiliate of DDU. Documents provided should include water consumption and meter size for each of the connections to each utility for each of the systems for every DDU affiliate for each billing cycle for the years 2000 through 2009.

RESPONSE:

DDU objects to this request as overly broad, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. Only connections related to the White Bluff, Retreat or The Cliffs water systems are potentially relevant to DDU's Application. Further, requesting data over a nine-year period of time is excessive and unduly burdensome. Only information for the test year (2007) is potentially relevant to DDU's Application.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents, if any, will be produced.

11. Please provide copies of bank statements, by month, for DDU since 2006.

RESPONSE:

DDU objects to this request as overly broad, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. Only financial information from test year 2007 is potentially relevant to DDU's Application. Additionally, information in DDU's bank statements may encompass systems and business not a part of the Application.

12. Please provide documentation of any assets which are part of the Rock Creek water system. Documentation should include purchase price and payment information (e.g., who paid for the asset and where the funds came from to pay for the asset).

RESPONSE:

DDU objects to this request as overly broad and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information

and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. The Rock Creek system is not a part of DDU's Application and therefore is not relevant to this proceeding.

13. For the test year, please provide any documentation evidencing the time spent by DDU employees or consultants performing work relating to the Rock Creek Water system.

RESPONSE:

DDU objects to this request as overly broad and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. The Rock Creek system is not a part of DDU's Application and therefore is not relevant to this proceeding.

14. For every asset which the Applicant is seeking depreciation expense and/or return on investment, for which the Applicant has not provided an original receipt and/or invoice, provide the detailed work-papers, source documents, and analyses which validate the expense for each item.

RESPONSE:

DDU objects to this request as overly broad. DDU is not required to marshal its evidence in responding to discovery.

Subject to and without waiving the foregoing objections, DDU responds that responsive documents have already been produced.

15. For every asset which the Applicant is seeking depreciation expense and/or return on investment, please provide copies of canceled checks which were paid to vendors.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

16. For every asset which the Applicant is seeking depreciation expense and/or return on investment, please provide copies of bank statements which detail the expenditure.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

17. For every asset which the Applicant is seeking depreciation expense and/or return on investment, please provide copies of General Ledgers, Journal Entries, Check Registers, Asset Inventories, and Balance Sheets which document the date and means in which the asset appeared on the Applicants books.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

18. For every asset which the Applicant is seeking depreciation expense and/or return on investment, please provide any internal reports, work-orders, cost-approval sheets, etc kept by the Application or its subsidiaries.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. DDU does not maintain possession, custody or control over documentation or records kept by its subsidiaries. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

19. For every asset which the Applicant is seeking depreciation expense and/or return on investment, please provide copies of any and all documentation not already requested above kept by the Applicant or its subsidiaries, which document the price of the asset, the date of installation, the resort which the asset was installed, the means which the asset was paid for, the account and transaction for which the asset was paid for, description of the asset, plans/specifications for that asset, etc,

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

20. For every expenditure reported in the Application, please provide copies of receipts and/or invoices.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. DDU further objects to this request to the extent it is duplicative of previous requests. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents have already been produced. DDU reserves the right to supplement this response.

21. For every expenditure included in the Application, please provide copies of canceled checks which were paid to vendors.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

22. For every expenditure included in the Application, please provide copies of bank statements which detail the expenditure.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

23. For every expenditure included in the Application, please provide copies of General Ledgers, Journal Entries, Check Registers, Inventories, and Income Statements which document the date and means in which the expenditure appeared on the Applicants books.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

24. For every expenditure included in the Application, please provide any internal reports, work-orders, cost-approval sheets, etc kept by the Application or its subsidiaries.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. Additionally, DDU does not maintain possession, custody or control over documentation or records kept by its subsidiaries. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

25. For every expenditure included in the Application, please provide copies of any and all documentation not already requested above kept by the Applicant or its subsidiaries, which document the expense, what the expense was for, the location of the work performed, the account for which the expense was paid, work-orders, and all other available documentation which validates that expenditure.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. DDU further objects to this request to the extent it is duplicative of previous requests. This request constitutes an improper fishing expedition and far exceeds the scope of permissible discovery.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents have already been produced. DDU reserves the right to supplement this response.

26. Please provide copies of all invoices for electricity expenses included in the Application.

RESPONSE:

DDU responds that responsive, non-objectionable documents, if any, will be produced.

27. Please provide documentation showing water consumption and customer count, by month, by individual utility system for 2000 through 2009.

RESPONSE:

DDU objects to this request as overly broad, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. DDU further objects to this request to the extent it is duplicative of previous requests. Only information pertaining to the White Bluff, Retreat and The Cliffs water systems for test year 2007 are potentially relevant to DDU's Application. Requesting information for a nine-year period of time far exceeds the scope of permissible discovery in this matter and is excessive and unduly burdensome.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents have already been produced.

28. Please provide documentation showing water consumption and customer count, by individual utility system, for each billing tier requested in the Application, by year for 2000 through 2009.

RESPONSE:

DDU objects to this request as overly broad, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. DDU further objects to this request to the extent it is duplicative of previous requests. Only information pertaining to the White Bluff, Retreat and The Cliffs water systems for test year 2007 are potentially relevant to DDU's Application. Requesting information for a nine-year period of time far exceeds the scope of permissible discovery in this matter and is excessive and unduly burdensome.

Subject to and without waiving the foregoing objections, DDU responds that responsive, non-objectionable documents have already been produced.

29. Provide all documentation of landscaping requirements for the developments served by the water systems described in the Application.

RESPONSE:

DDU objects to this request as overly broad and not properly limited in time, scope and relation to the facts at issue in this proceeding to the extent that it seeks "all documentation." *K-Mart Corp.*, 937 S.W.2d at 431-32.

Subject to and without waiving the foregoing objection, DDU responds that responsive, non-objectionable documents, if any, will be produced.

30. Please provide copies of all documents which have not been produced or that do not fall under the previous requests for production that support or otherwise relate to your answers to each of your responses to the Interrogatories above.

RESPONSE:

DDU objects to this request as overly broad, excessive, unduly burdensome and harassing and not properly limited in time, scope or relation to the facts at issue in this proceeding. *K-Mart Corp.*, 937 S.W.2d at 431-32. DDU further objects to this request to the extent it seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3. DDU further objects to this request to the extent it is duplicative of previous requests. This request constitutes an improper fishing expedition and exceeds the scope of permissible discovery.