

**LINDSAY PURE WATER COMPANY/CCN DISPUTE  
52515.0101**

**Town of Lindsay's Application to Amend Water & Sewer CCN Nos. 13025 & 20927**

**PRODUCTION INDEX**

**All documents produced are responsive to City's global requests – City's 1<sup>st</sup> RFP No. 1, 4, 6, 9 & 10**

*Documents produced to Town of Lindsay – October 25, 2006*

	LPWC 00001	Responsive to:
	LPWC 00015	
	May 17, 1997	City's 1 <sup>st</sup> RFP No. 14
	Bylaws	
	Bylaws of Lindsay Pure Water Company	City's 2 <sup>nd</sup> RFP No. 29

	LPWC 00016	Responsive to:
	LPWC 00016	
	July 10, 2006	City's 1 <sup>st</sup> RFP No. 14
	Certificate	
	Certificate of Account Status	

	LPWC 00017	Responsive to:
	LPWC 00019	
	April 17, 1998	City's 1 <sup>st</sup> RFP No. 18
	CCN	
	Certificate of Convenience & Necessity No. 12858/Map	City's 2 <sup>nd</sup> RFP No. 21

	LPWC 00020	Responsive to:
	LPWC 00023	
	March 23, 1998	City's 2 <sup>nd</sup> RFP Nos. 12 (bates no. 23 only), 21
	Correspondence	
	Correspondence from TCEQ re: proposed CCN & Map	City's 3 <sup>rd</sup> RFP No. 9
		Responsive to:
		ED's 1 <sup>st</sup> RFP No. 1

	LPWC 00024	Responsive to:
	LPWC 00027	
	April 1, 2002	City's 1 <sup>st</sup> RFP No. 5
	Agreement	
	Settlement Agreement between Town of Lindsay and Lindsay Pure Water Company	City's 2 <sup>nd</sup> RFP No. 12 (bates no. 27 only)
		Responsive to:
		ED's 1 <sup>st</sup> RFP No. 1 (bates no. 27 only), 3

		ED's 2 <sup>nd</sup> RFP No. 4, 8
	LPWC 00028	<p>Responsive to:</p> <p>City's 2<sup>nd</sup> RFP Nos. 3, 12 (bates no. 28 only), 22</p> <hr/> <p>Responsive to:</p> <p>ED's 1<sup>st</sup> RFP No. 1 (bates no. 28 only), 3, 5</p> <p>ED's 2<sup>nd</sup> RFP No. 1, 8</p>
	LPWC 00036	
	N/A	
	Service Requests w/Map	
	Letters requesting service from Lindsay Pure Water Company	
	LPWC 00037	<p>Responsive to:</p> <p>City's 3<sup>rd</sup> RFP No. 9</p>
	LPWC 00038	
	August 29, 2006	
	Correspondence from TCEQ	
	Correspondence re: TCEQ Public Drinking Water Recognition Program w/recognition award certificate attached	
	LPWC 00039	<p>Responsive to:</p> <p>City's 3<sup>rd</sup> RFP No. 9</p>
	LPWC 00041	
	July 16, 2001	
	Correspondence from TCEQ	
	Correspondence re: Compliance Evaluation Investigation at Lindsay Pure Water Co-South Ridge w/Summary of Investigation Findings attached.	
	LPWC 00042	<p>Responsive to:</p> <p>City's 3<sup>rd</sup> RFP No. 9</p>
	LPWC 00042	
	March 1, 2000	
	Correspondence from TCEQ	
	Correspondence re: Compliance Evaluation Inspection at South Ridge Estates, Cooke County, Texas	
	LPWC 00043	<p>Responsive to:</p> <p>City's 3<sup>rd</sup> RFP No. 9</p>
	LPWC 00045	
	December 29, 1999	
	Correspondence from TCEQ	
	Correspondence re: Notice of Violation for the Compliance Evaluation Inspection at South Ridge Estates w/Summary of Inspection Findings attached.	
	LPWC 00046	<p>Responsive to:</p> <p>City's 3<sup>rd</sup> RFP No. 9</p>
	LPWC 00046	
	February 24, 2000	
	Correspondence	

	Correspondence to TCEQ from Jim Myrick re: inspection	
	LPWC 00047	Responsive to:
	LPWC 00050	
	April 13, 2006	City's 2 <sup>nd</sup> RFP No. 8
	Report	City's 3 <sup>rd</sup> RFP No. 8
	Monitoring Plan	
	LPWC 00051	Responsive to:
	LPWC 00051	
	March 1, 2006	City's 3 <sup>rd</sup> RFP No. 9
	Certificate	
	Laboratory Certification	
	LPWC 00052	Responsive to:
	LPWC 00054	
	n/a	ED's 1 <sup>st</sup> RFP Nos. 1,2 & 3
	Miscellaneous	
	South Ridge of Lindsay	
	LPWC 00055	Responsive to:
	LPWC 00055	
	June 16, 2005	City's 3 <sup>rd</sup> RFP No. 9
	Correspondence	
	Correspondence from TCEQ re: Stage 2 Disinfection Byproducts Rule	
	LPWC 00056	Responsive to:
	LPWC 00056	
	June 27, 2006	City's 2 <sup>nd</sup> RFP No. 8
	Certificate	City's 3 <sup>rd</sup> RFP No. 8
	Very Small Waiver to IDSE Monitoring Certification	
	LPWC 00057	Responsive to:
	LPWC 00057	
	Effective: March 01, 2006; Expiration: February 28, 2007	City's 2 <sup>nd</sup> RFP No 8
	Miscellaneous	City's 3 <sup>rd</sup> RFP No. 8
	TCEQ Drinking Water Laboratory Certification	
	LPWC 00058	Responsive to:
	LPWC 00058	
	n/a	ED's 1 <sup>st</sup> RFP Nos. 1,2, & 3
	Survey Abstract	
	Southridge of Lindsay Phase 2 E. J. W. Lowery Survey Abstract 562	

LPWC 00059	Responsive to:  City's 2 <sup>nd</sup> RFP No. 8  City's 3 <sup>rd</sup> RFP No. 8
LPWC 00071	
2005	
Notice and Report	
Notice and 2005 Annual Drinking Water Quality Report (2 and on Spanish Notice)	

LPWC 00072	Responsive to:  City's 2 <sup>nd</sup> RFP No. 4, 21  City's 3 <sup>rd</sup> RFP No. 2  Responsive to:  ED's RFP No. 7
LPWC 00072	
February 24, 1998	
Schedule	
Lindsay Pure Water Company – Section 1.0 – Rate Schedule	

LPWC 00073	Responsive to:  ED's 1 <sup>st</sup> RFP Nos. 1, 2 & 3
LPWC 00073	
May 6, 1997	
Plat	
Survey Plat – South Ridge Court Proposed Subdivision	

LPWC 00074	Responsive to:  City's 2 <sup>nd</sup> RFP No. 18
LPWC 00083	
August 29, 1997	
Analysis Report	
Lindsay Clear Water No. 1 Well – analyzed by J. J. BIFFLE WTR. WELL DRL	

LPWC 00084	Responsive to:  City's 2 <sup>nd</sup> RFP No. 11, 18  City's 3 <sup>rd</sup> RFP No. 9
LPWC 00085	
November 13, 2002	
Correspondence	
Correspondence from TCEQ to LPWC requesting information about active water wells	

LPWC 00086	Responsive to:  City's 2 <sup>nd</sup> RFP No. 11, 18
LPWC 00086	
8/27/97-10/5/97	
Report	
Well report	

LPWC 00087	Responsive to:  City's 2 <sup>nd</sup> RFP No. 11, 18
LPWC 00087	
n/a	
Report	
Cementing Report	

LPWC 00088	Responsive to: City's 2 <sup>nd</sup> RFP No. 11, 18
LPWC 00088	
n/a	
New Pump Installation	

LPWC 00089	Responsive to: City's 2 <sup>nd</sup> RFP No. 18
LPWC 00089	
May 5, 1998	
Correspondence	
Correspondence from Pope Testing Laboratories to JJ Biffle Water Well Drilling regarding water report tests.	

LPWC 00090	Responsive to: City's 3 <sup>rd</sup> RFP No. 9
LPWC 00090	
July 25, 2006	
Correspondence	
Correspondence from TCEQ to LPWC regarding Stage 2 Disinfection Byproducts Rule	

LPWC 00091	Responsive to: City's 2 <sup>nd</sup> RFP No. 8
LPWC 00091	
July 24, 2006	City's 3 <sup>rd</sup> RFP No. 8
Misc.	
Drought Conditions Continue in Texas: What Your Water System can Do	

LPWC 00092	Responsive to: City's 2 <sup>nd</sup> RFP No. 8 City's 3 <sup>rd</sup> RFP No. 8, 9
LPWC 00092	
July 13, 2006	
Correspondence	
Correspondence from TCEQ to LPWC transmitting LPWC's Drought Contingency Plan (Plan not attached)	

LPWC 00093	Responsive to: City's 2 <sup>nd</sup> RFP No. 8 City's 3 <sup>rd</sup> RFP No. 8, 9
LPWC 00093	
July 14, 2005	City's 3 <sup>rd</sup> RFP No. 8, 9
Correspondence	
LPWC to TCEQ transmitting LPWC Drought Contingency Plan	

	LPWC 00094	Responsive to:
	LPWC 00099	
	August 2000	
	Plan	
	Drought Contingency Plan for the Investor Owned Utility – Lindsay Pure Water Company	City's 3 <sup>rd</sup> RFP No. 8

	LPWC 00100	Responsive to:
	LPWC 00100	
	N/A	
	Notice	
	LPWC Notice to Customers regarding input to Drought Contingency Plan	City's 3 <sup>rd</sup> RFP No. 8

	LPWC 00101	Responsive to:
	LPWC 00101	
	November 9, 2001 (?)	
	Report	
	TCEQ Public Water System Water Analysis for Lindsay Pure Water Co. South Ridge	City's 2 <sup>nd</sup> RFP No. 8 & 18
		City's 3 <sup>rd</sup> RFP No. 8

	LPWC 00102	Responsive to:
	LPWC 00102	
	November 15, 2001	
	Report	
	Texas Department of Health Volatile Organics Compounds by GC/MS	City's 2 <sup>nd</sup> RFP No. 8
		City 3 <sup>rd</sup> RFP No. 8

	LPWC 00103	Responsive to:
	LPWC 00104	
	August 25, 2000	
	Correspondence	
	FAA Determination of No Hazard to Air Navigation to LPWC regarding elevated water storage tank	City's 2 <sup>nd</sup> RFP No. 11, 17

	LPWC 00105	Responsive to:
	LPWC 00105	
	August 16, 2000	
	Correspondence	
	FAA to LPWC regarding elevated water storage tank	City's 2 <sup>nd</sup> RFP No. 11, 17

	LPWC 00106	Responsive to:
	LPWC 00106	
	N/A	
	Notice	
	Notice of Proposed Construction or Alteration - LPWC	City's 2 <sup>nd</sup> RFP No. 11, 17

LPWC 00107	Responsive to:
LPWC 00107	
October 18, 2001	
Notice	
TCEQ Notice of Hearing regarding Lindsay application for Water Certificate of Convenience and Necessity (CCN) and Sewer CCN	
	City's 1 <sup>st</sup> RFP No. 8
	City's 2 <sup>nd</sup> RFP No. 21
	City's 3 <sup>rd</sup> RFP No. 9

LPWC 00108	Responsive to:
LPWC 00111	
September 10, 1997	
Easement	
Sanitary Control Easement Grantor: Myrick Development Company; Grantee: LPWC	
	City's 1 <sup>st</sup> RFP No. 6
	City's 2 <sup>nd</sup> RFP No. 18, 24
	City's 3 <sup>rd</sup> RFP No. 6

LPWC 00112	Responsive to:
LPWC 00114	
September 3, 1997	
Report	
Well Report for LPWC – j. j. Biffle Water Drilling	
	City's 2 <sup>nd</sup> RFP No. 10, 18, 24

LPWC 00115	Responsive to:
LPWC 00115	
Date Installed: 9-28-97; Date Started: 10-5-97	
Report	
Jimmy Jack Biffle Water Well Service New Pump Installation for Lindsay Pure Water	
	City's 2 <sup>nd</sup> RFP No. 10, 18, 24

LPWC 00116	Responsive to:
LPWC 00116	
5-5-98	
Report	
Pope Testing Laboratories Report of Tests on Water regarding Lindsay Pure Water Well #1 and addressed to J J Biffle Water Well Drilling	
	City's 2 <sup>nd</sup> RFP No. 10, 18, 24

LPWC 00117	Responsive to:
LPWC 00117	
April 24, 1998	
Order	
TNRCC Order granting Lindsay's application for Certificate of Convenience and Necessity	
	City's 1 <sup>st</sup> RFP No. 8, 17
	City's 2 <sup>nd</sup> RFP No. 21
	ED's 1 <sup>st</sup> RFP No. 3
	ED's 2 <sup>nd</sup> RFP No. 8

	LPWC 00118	Responsive to:
	LPWC 00118	
	April 17, 1998	
	Certificate	
	Certificate of Convenience and Necessity – Lindsay Pure Water Company	
		City's 1 <sup>st</sup> RFP No. 8, 17, 18
		City's 2 <sup>nd</sup> RFP No. 21
		ED's 1 <sup>st</sup> RFP No. 3
		ED's 2 <sup>nd</sup> RFP No. 8

	LPWC 00119	Responsive to:
	LPWC 00120	
	N/A	
	Correspondence	
	Letter regarding protests to Lindsay's applications for Water and Sewer certificates of Convenience and Necessity	
		City's 1 <sup>st</sup> RFP No. 8, 16
		City's 3 <sup>rd</sup> RFP No. 3-9
		ED's 1 <sup>st</sup> RFP No. 3

	LPWC 00121	Responsive to:
	LPWC 00121	
	July 14, 2005	
	Correspondence	
	Correspondence from LPWC to TCEQ transmitting Drought Contingency Plan	
		City's 2 <sup>nd</sup> RFP No. 8
		City's 3 <sup>rd</sup> RFP No. 3-8, 3-9

	LPWC 00122	Responsive to:
	LPWC 00122	
	N/A	
	Notice	
	Notice to LPWC Customers regarding draft Drought Contingency Plan	
		City's 2 <sup>nd</sup> RFP No. 8
		City's 3 <sup>rd</sup> RFP No. 3-8, 3-9

	LPWC 00123	Responsive to:
	LPWC 00128	
	August 2000	
	Plan	
	LPWC Drought Contingency Plan	
		City's 2 <sup>nd</sup> RFP No. 8
		City's 3 <sup>rd</sup> RFP No. 3-8, 3-9

	LPWC 00129	Responsive to:
	LPWC 00129	
	June 21, 2005	
	Reminder Notice	
	TCEQ Failure to Submit Required Drought Contingency Plan	
		City's 2 <sup>nd</sup> RFP No. 26
		City's 3 <sup>rd</sup> RFP No. 3-9

	LPWC 00130	Responsive to:
	LPWC 00133	
	2004	
	Report	
	2004 Annual Drinking Water Quality Report	
		City's 2 <sup>nd</sup> RFP No. 8, 18
		City's 3 <sup>rd</sup> RFP No. 3-8



LPWC 00134	Responsive to:
LPWC 00134	
6-10-02; mailed 6-26-02	
Certification of Delivery 2001 Drinking Water Quality Report for LPWC	
	City's 2 <sup>nd</sup> RFP No. 8, 18
	City's 3 <sup>rd</sup> RFP No. 3-8

LPWC 00135	Responsive to:
LPWC 00137	
2001	
Report	
2001 Drinking Water Quality Report	City's 2 <sup>nd</sup> RFP No. 8, 18
	City's 3 <sup>rd</sup> RFP No. 3-8

LPWC 00138	Responsive to:
LPWC 00138	
Collected: November 6, 2001; Received November 9, 2001; December 31, 2001	
Report	
Texas Department of Health Water Analysis Report – Minerals	City's 2 <sup>nd</sup> RFP No. 8, 18
	City's 3 <sup>rd</sup> RFP No. 3-8

LPWC 00139	Responsive to:
LPWC 00139	
Collected: November 6, 2001; Received November 9, 2001; March 20, 2002	
Report	
Texas Department of Health Water Analysis Report – Radiochemicals	City's 2 <sup>nd</sup> RFP No. 8, 18
	City's 3 <sup>rd</sup> RFP No. 3-8

LPWC 00140	Responsive to:
LPWC 00140	
March 20, 2002	
Report	
Texas Department of Health Volatile Organic Compounds by GC/MS	City's 2 <sup>nd</sup> RFP No. 8, 18
	City's 3 <sup>rd</sup> RFP No. 3-8

LPWC 00141	Responsive to:
LPWC 00141	
March 13, 2002	
Report	
TNRCC Public Water System Water Analysis – LPWC South Ridge	City's 2 <sup>nd</sup> RFP No. 8, 18
	City's 3 <sup>rd</sup> RFP No. 3-8, 3-9

LPWC 00142	Responsive to:
LPWC 00142	
March 20, 2002	
Report	
Texas Department of Health Volatile Organic Compounds by GD/MS	City's 2 <sup>nd</sup> RFP No. 8, 18
	City's 3 <sup>rd</sup> RFP No. 3-8

	LPWC 00143	Responsive to:  City's 3 <sup>rd</sup> RFP No. 3-9
	LPWC 00143	
	June 12, 2006	
	Report	
	Certification of Delivery Consumer Confidence Report for Calendar Year 2005 for LPWC	

	LPWC 00144	Responsive to:  Global requests
	LPWC 00144	
	2003	
	Report	
	Consumer Confidence Report 2003 for LPWC South Ridge	

	LPWC 00145	Responsive to:  City's 3 <sup>rd</sup> RFP No. 3-9
	LPWC 00147	
	August 27, 2004	
	Report	
	Certifications of Delivery for Calendar Year 2003 for LPWC	

	LPWC 00148	Responsive to:  Global requests
	LPWC 00149	
	2003	
	Report	
	Consumer Confidence Report 2003 (Drinking Water Quality Report) LPWC South Ridge	

	LPWC 00150	Responsive to:  City's 2 <sup>nd</sup> RFP No. 8, 18  City's 3 <sup>rd</sup> RFP No. 3-8
	LPWC 00150	
	2001, 2002	
	Report	
	Analysis for Inorganics, Unregulated Contaminants, Lead and Copper, Total Coliform, Fecal Coliform	

	LPWC 00151	Responsive to:  City's 2 <sup>nd</sup> RFP No. 8, 18  City's 3 <sup>rd</sup> RFP No. 3-8, 3-9
	LPWC 00151	
	N/A	
	TNRCC Water Supply Division Cross-Connection Control Questionnaire to LPWC South Ridge	

	LPWC 00152	Responsive to:  City's 3 <sup>rd</sup> RFP No. 3-9
	LPWC 00152	
	January 11, 2005	
	Report	
	Texas Natural Resource Conservation Commission Lead Copper Report - LPWC	

	LPWC 00153	Responsive to:  Global requests
	LPWC 00153	
	Collected: November 6, 2001; Received November 9, 2001, Reported December 3, 2001	
	Report	
	Texas Department of Health Water Analysis Report – Metals LPWC South Ridge	

	LPWC 00154	Responsive to:  Global requests
	LPWC 00157	
	November 6, 2001 (?)	
	Report	
	TNRCC Public Water System Analysis	

	LPWC 00158	Responsive to:  City's 3 <sup>rd</sup> RFP No. 3-9
	LPWC 00160	
	January 11, 2006	
	Correspondence	
	TCEQ to LPWC South Ridge enclosing list of drinking water chemical samples scheduled for collection and sampling costs	

	LPWC 00161	Responsive to:  City's 3 <sup>rd</sup> RFP No. 3-9
	LPWC 00164	
	July 8, 2004	
	Correspondence	
	TCEQ to LPWC regarding and enclosing Texas Department of Health Lead/Copper Report	

	LPWC 00165	Responsive to:  Global requests
	LPWC 00165	
	March 22, 1999	
	Correspondence	
	TNRCC letter to LPWC South Ridge regarding Coliform Monitoring Violation	

	LPWC 00166	Responsive to:  Global requests
	LPWC 00166	
	N/A	
	Table	
	Table 12-1 – Sanitary Hazards	

	LPWC 00167	Responsive to:  Global requests
	LPWC 00167	
	Operational October 5, 1994	
	Appendix	
	TCEQ Appendix B Description of the Public Drinking Water System and Water Supply Sources	

	LPWC 00168	Responsive to:  Global requests
	LPWC 00170	
	April 25, 2003	
	Correspondence and Assessment	
	TCEQ to Lindsay Water System Manager regarding source water susceptibility assessment and assessment with potential sources of contamination	

	LPWC 00171	Responsive to:  Global requests
	LPWC 00171	
	October 26, 2003	
	Index	
	Helpful TCEQ Numbers for Public Water Systems	

	LPWC 00172	Responsive to:  Global requests
	LPWC 00173	
	N/A	
	Legend	
	Appendix H Map Legend and Topographic Map Symbolology	

	LPWC 00174	Responsive to:  Global requests
	LPWC 00174	
	May 7, 1998	
	Report	
	Pope Testing Laboratories Report of Tests on Water addressed to J J Biffle Water Well Drilling regarding Lindsay Pure Water Well #1	

	LPWC 00175	Responsive to:  Global requests
	LPWC 00175	
	?	
	Report	
	TNRCC Public Water System Water Analysis	

	LPWC 00176	Responsive to:  Global requests
	LPWC 00176	
	August 31, 1998	
	Invoice	
	Invoice from Texas Department of Health Bureau of Laboratories to South Ridge Estates for water testing	

	LPWC 00177	Responsive to:  Global requests
	LPWC 00177	
	Collected: June 17, 1998; Received June 19, 1998; Reported: July 1, 1998	
	Report	
	Water Analysis Report: Minerals – South Ridge Estates	

	LPWC 00178	Responsive to:  Global requests
	LPWC 00178	
	Received: Jun 19, 1998; Reported August 20, 1998	
	Report	
	TNRCC Water Analysis	

	LPWC 00179	Responsive to:  Global requests
	LPWC 00179	
	Collected; June 17, 1998; Extracted June 30, 1998; Analyzed: June 30, 1998	
	Report	
	Texas Department of Health Volatile Organics Compounds by GC/MS	

	LPWC 00180	Responsive to:  Global requests
	LPWC 00180	
	December 28, 1998	
	Report	
	Lead/Copper Sample Site Selection Form - LPWC	

	LPWC 00181	Responsive to:  Global requests
	LPWC 00181	
	N/A	
	Survey checklist	
	Materials Survey Checklist	

	LPWC 00182	Responsive to:  Global requests
	LPWC 00182	
	Billed Nov. 18, 1998 (?)	
	Appendix	
	Appendix D: Sample Service Inspection Certification	

	LPWC 00183	Responsive to:  Global requests
	LPWC 00183	
	Billed April 17, 1999 (?)	
	Appendix	
	Appendix D: Sample Service Inspection Certification	

	LPWC 00184	Responsive to:  Global requests
	LPWC 00184	
	Billed Nov. 18, 1998 (?)	
	Appendix	
	Appendix D: Sample Service Inspection Certification	

	LPWC 00185	Responsive to:  Global requests
	LPWC 00185	
	Billed August 31, 1998 (?)	
	Appendix	
	Appendix D: Sample Service Inspection Certification	

	LPWC 00186	Responsive to:  City's 2 <sup>nd</sup> RFP No 8  City's 3 <sup>rd</sup> RFP No. 3-8, 3-9
	LPWC 00188	
	June 1, 2004	
	Notice	
	TCEQ Notice to Public Water System Official to collect water samples for first initial round of lead/copper monitoring between July 01, 2004 and December 31, 2004 with instructions	

	LPWC 00189	Responsive to:  City's 2 <sup>nd</sup> RFP No 8  City's 3 <sup>rd</sup> RFP No. 3-8, 3-9
	LPWC 00193	
	December 30, 2004	
	Report	
	TCEQ Lead/Copper Tap Sample Lab Analysis Form for LPWC South	

	LPWC 00194	Responsive to:  City's 2 <sup>nd</sup> RFP No. 8, 14, 16, 17
	LPWC 00195	
	Manual	
	Manual	
	Lindsay Pure Water Company Operations Manual	

	LPWC 00196	Responsive to:  City's 2 <sup>nd</sup> RFP No. 8  City's 3 <sup>rd</sup> RFP No. 3-9
	LPWC 00196	
	2005	
	Report	
	Lindsay Pure Water 2005 Operating Report	

*Documents produced to Town of Lindsay – March 24, 2008*

LPWC 00197	Responsive to:
LPWC 00200	
March 12, 2008	
Report	
Mark Fuhrmann - 2007 S Corporation Schedule K-1 (Form 1120S)	City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29
	City's 3 <sup>rd</sup> RFP No. 3-5, 3-7

LPWC 00201	Responsive to:
LPWC 00204	
March 12, 2008	
Report	
Bernard Hesse - 2007 S Corporation Schedule K-1 (Form 1120S)	City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29
	City's 3 <sup>rd</sup> RFP No. 3-5, 3-7

LPWC 00205	Responsive to:
LPWC 00208	
March 12, 2008	
Report	
Patrick Stelzer - 2007 S Corporation Schedule K-1 (Form 1120S)	City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29
	City's 3 <sup>rd</sup> RFP No. 3-5, 3-7

LPWC 00209	Responsive to:
LPWC 00212	
March 12, 2008	
Report	
Steve Zimmerer- 2007 S Corporation Schedule K-1 (Form 1120S)	City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29
	City's 3 <sup>rd</sup> RFP No. 3-5, 3-7

LPWC 00213	Responsive to:
LPWC 00216	
March 12, 2008	
Report	
Joe O'Dell - 2007 S Corporation Schedule K-1 (Form 1120S)	City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29
	City's 3 <sup>rd</sup> RFP No. 3-5, 3-7

LPWC 00217	Responsive to:
LPWC 00220	
March 12, 2008	
Report	
Patrick Fuhrmann - 2007 S Corporation Schedule K-1 (Form 1120S)	City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29
	City's 3 <sup>rd</sup> RFP No. 3-5, 3-7

LPWC 00221	Responsive to:
LPWC 00224	
March 12, 2008	
Report	
Ken Hesse - 2007 S Corporation Schedule K-1 (Form 1120S)	City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29
	City's 3 <sup>rd</sup> RFP No. 3-5, 3-7

	LPWC 00225	Responsive to:  City's 2 <sup>nd</sup> RFP No. 1, 6, 7, 29  City's 3 <sup>rd</sup> RFP No. 3-5, 3-7
	LPWC 00228	
	March 12, 2008	
	Report Jim Myrick - 2007 S Corporation Schedule K-1 (Form 1120S)	

	LPWC 00229	Responsive to:  City's 3 <sup>rd</sup> RFP No. 3-5
	LPWC 00230	
	March 11, 2008	
	Report Debt Report	

	LPWC 00231	Responsive to:  City's 2 <sup>nd</sup> RFP Nos. 1, 6, 7, 29  City's 3 <sup>rd</sup> RFP No. 3-5, 3-7
	LPWC 00232	
	March 12, 2008	
	Corr. Corr. from Michael Kendall re: Form 1120S; Federal Filing Instructions	

	LPWC 00233	Responsive to:  City's 2 <sup>nd</sup> RFP Nos. 1, 6, 7, 29  City's 3 <sup>rd</sup> RFP No. 3-5, 3-7
	LPWC 00250	
	2007	
	Report 2007 S-Corporation Return for Lindsay Pure Water Company	

	LPWC 00251	Responsive to:  City's 2 <sup>nd</sup> RFP Nos. 1, 6, 7, 29  City's 3 <sup>rd</sup> RFP No. 3-5, 3-7
	LPWC 00269	
	2006	
	Report 2006 Tax Return	

	LPWC 00270	Responsive to:  City's 2 <sup>nd</sup> RFP No. 11, 12, 13, 14, 16  Responsive to:  ED's 1 <sup>st</sup> RFP No. 1 (bates 00270 -72 only)
	LPWC 00274	
	Maps South Ridge Lindsay Map/Drawings	

	LPWC 00275	Responsive to:  City's 2 <sup>nd</sup> RFP No. 4  Responsive to:  ED's 2 <sup>nd</sup> RFP No. 7
	LPWC 00275	
	Schedule Rate Schedule	



Bates – Begin	LPWC 00276	Responsive to:  City's 2 <sup>nd</sup> RFP No. 1, 7
Bates – End		
Date	December 31, 2007	
Type	Notes	
Description	Bank Balance as of 12/31/07	

***Documents produced to Town of Lindsay May 15, 2008***

Bates – Begin	LPWC 00277	Responsive to:  City's 2 <sup>nd</sup> RFP Nos. 1, 6, 7, 29  City's 3 <sup>rd</sup> RFP No. 3-5, 3-7
Bates – End	LPWC 00291	
Date	2005	
Type	Report	
Description	2005 Tax Return	

Bates – Begin	LPWC 00292	Responsive to:  City's 2 <sup>nd</sup> RFP No. 8, 26  City's 3 <sup>rd</sup> RFP No. 3-9  Responsive to:  ED's 2 <sup>nd</sup> RFP No. 5
Bates – End	LPWC 00301	
Date	2005-2006	
Type	Corr./Reports	
Description	Lindsay Pure Water Company – Compliance Evaluation Investigation Documents.	

Bates – Begin	LPWC 00302	Responsive to:  City's 2 <sup>nd</sup> RFP No. 11, 12, 13, 14, 16  ED's 1 <sup>st</sup> RFP No. 1, 2, 3  ED's 2 <sup>nd</sup> RFP No. 2
Bates – End	LPWC 00304	
Date		
Type	Maps	
Description	South Ridge of Lindsay with highlighted areas marked.	

***Document produced to Town of Lindsay May 16, 2008***

Bates – Begin	LPWC 00305	Responsive to:  Global requests
Bates – End	LPWC 00305	
Date		
Type	Report	
Description	Lindsay Pure Water Company customer list	

***Document produced to Town of Lindsay May 21, 2008***

Bates – Begin	LPWC 00306	Responsive to:  City's 2 <sup>nd</sup> RFP No. 3, 5, 11, 14, 16, 18, 24  ED's 1 <sup>st</sup> RFP No. 1, 2, 3  ED's 2 <sup>nd</sup> RFP No. 2
Bates – End	LPWC 00306	
Date		
Type	Map	
Description	Internal working sketch	

Bates – Begin	LPWC 00307	Responsive to:  City's 2 <sup>nd</sup> RFP No. 3, 5, 11  ED's 1 <sup>st</sup> RFP No. 3, 1
Bates – End	LPWC 00307	
Date		
Type	Map	
Description	Plat for 95.83 acres	

**ARMBRUST & BROWN, L.L.P.**  
ATTORNEYS AND COUNSELORS100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360

**FACSIMILE COVER PAGE**

Date: May 21, 2008

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2008 MAY 21 PM 2:40  
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NAME:	COMPANY:	FACSIMILE NO.:	TELEPHONE NO.:
Arturo D. Rodriguez	Russell & Rodriguez, L.L.P.	(512) 930-7742	(512) 930-1317
Brian MacLeod	Texas Commission on Environmental Quality	(512) 239-0606	(512) 239-0750
Blas J. Coy, Jr.	Office of Public Interest Counsel	(512) 239-6377	(512) 239-6363
Docket Clerk	Texas Commission on Environmental Quality	(512) 239-3311	(512) 239-3311

Please call us immediately if the document you receive is incomplete or illegible.

From: John J. Carlton	Telephone No.: (512) 435-2375
Client/Matter No.: 52515.0101	Total No. of Pages Sent: 21

**REMARKS:**

- ☐ Urgent      ☐ For Your Review      ☐ Reply ASAP      ☐ Please Comment
- ☐ Original To Follow Via:    ☐ Hand Delivery    ☐ Federal Express    ☐ First Class Mail

**RE:** SOAH Docket No. 582-06-0203; TCEQ Docket No. 2006-0272-UCR; *Application of the Town of Lindsay to Amend Water and Sewer Certificates of Convenience and Necessity (CCN) Nos. 13025 and 20927 in Cooke County, Texas*; Application Nos. 35096-C & 35097-C**ATTACHMENTS:**

- 1) Lindsay Pure Water Company's First Supplement to First Amended Response to the City of Lindsay's Interrogatories and Second Set of Requests for Production Lindsay's Third Set of Requests for Production.
- 2) Production index

Hard copies of LPWC 00306-00307 will be mailed. They are too big to be faxed.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT), AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U. S. POSTAL SERVICE. THANK YOU.

252890-1 03/24/2008

**SOAH DOCKET NO. 582-06-2023  
TCEQ DOCKET NO. 2006-0272-UCR**

**APPLICATION OF THE TOWN OF LINDSAY TO AMEND WATER AND SEWER CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) NOS. 13025 AND 20927 IN COOKE COUNTY, TEXAS APPLICATION NOS. 35096-C & 35097-C** § **BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**LINDSAY PURE WATER COMPANY'S FIRST SUPPLEMENT TO FIRST AMENDED RESPONSE TO THE CITY OF LINDSAY'S INTERROGATORIES AND 2<sup>ND</sup> SET OF REQUESTS FOR PRODUCTION**

TO: The City of Lindsay, by and through its attorney of record, Arturo D. Rodriguez, Jr. of Russell & Rodriguez, L.L.P., 102 West Morrow Street, Suite 103, Georgetown, Texas 78626

COMES NOW, Lindsay Pure Water Company, Protestant herein, and files its First Supplement to First Amended Response to the City of Lindsay's Interrogatories and 2<sup>nd</sup> Set of Requests for Production.

**INTERROGATORIES**

**INTERROGATORY NO. 1:** Please describe in detail the Company's existing water transmission lines, if any, capable of providing water service to any area in which the City has requested in its Application.

**RESPONSE:** The Company's existing water system consists of approximately three miles of six-inch diameter C900 pipe, which serves the existing 26 homes within the Company's CCN and the South Ridge of Lindsay subdivision.

**INTERROGATORY NO. 2:** Please describe in detail the Company's existing booster stations, if any, capable of providing water service to any area in which the City has requested in its Application.

**RESPONSE:** The Company currently has one high-pressure pump, one high-volume pump, a 1,000 gallon pressure tank and a liquid chlorination system serving its existing CCN and the South Ridge of Lindsay subdivision.

**INTERROGATORY NO. 9:** Please identify any and all requests the Company has received for water service within the City's requested area.

**RESPONSE:** The Company received the requests identified in response to RFP #10, Bates numbered documents LPWC 00028-00036. The Company is also planning and has constructed facilities to serve the entire South Ridge of Lindsay subdivision.

**ARMBRUST & BROWN, L.L.P.**

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2380

JOHN J. CARLTON  
(512) 435-2308  
jcarlton@abaustin.com

May 21, 2008

**VIA FACSIMILE: (512) 239-0606**Brian MacLeod  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: SOAH Docket No. 582-06-0203; TCEQ Docket No. 2006-0272-UCR; *Application of the Town of Lindsay to Amend Water and Sewer Certificates of Convenience and Necessity (CCN) Nos. 13025 and 20927 in Cooke County, Texas; Application Nos. 35096-C & 35097-C*

Dear Brian:

Enclosed please find the following:

- Lindsay Pure Water Company's Second Supplemental Response to the Executive Director's First Request for Disclosure, Interrogatories and Requests for Production; and
- Lindsay Pure Water Company's First Supplemental Response to the Executive Director's Second Request for Admissions, Disclosure, Interrogatories and Requests for Production.

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

**ARMBRUST & BROWN, L.L.P.**

John J. Carlton

Attorney for Lindsay Pure Water Company

Enclosures

cc: Arturo Rodriguez, Jr.  
Mr. Blas Coy  
TCEQ Docket ClerkTEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2008 MAY 21 PM 2:5  
CHIEF CLERKS OFFICE

**SOAH DOCKET NO. 582-06-2023  
TCEQ DOCKET NO. 2006-0272-UCR**

**APPLICATION OF THE TOWN OF LINDSAY TO AMEND WATER AND SEWER CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) NOS. 13025 AND 20927 IN COOKE COUNTY, TEXAS APPLICATION NOS. 35096-C & 35097-C** § **BEFORE THE STATE OFFICE** § **OF** § **ADMINISTRATIVE HEARINGS**

**LINDSAY PURE WATER COMPANY'S SECOND SUPPLEMENTAL RESPONSE TO THE EXECUTIVE DIRECTOR'S FIRST REQUEST FOR DISCLOSURE, INTERROGATORIES AND REQUESTS FOR PRODUCTION**

TO: The Executive Director, by and through its attorney of record, Brian MacLeod, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711.

COMES NOW, Lindsay Pure Water Company, Protestant herein, and files its Second Supplemental Response to the Executive Director's First Request for Disclosure, Interrogatories and Requests for Production.

**REQUEST FOR DISCLOSURE**

**REQUEST FOR DISCLOSURE 194.2(c):** The legal theories and, in general, the factual bases of the responding party's claims or defenses.

**RESPONSE:** Lindsay Pure Water Company and the City of Lindsay reached a service area settlement in 2002. That settlement addressed portions of the area requested in the Town of Lindsay's current application and Lindsay Pure Water Company believed that all service area matters were addressed by the settlement agreement. In addition, Lindsay Pure Water Company is serving the entire South Ridge of Lindsay subdivision, including Phases 1, 2, 3 and all future phases.

**INTERROGATORIES**

**INTERROGATORY NO. 1:** For each person you expect to call as a fact witness at the evidentiary hearing in this matter, please provide: (a) the person's name and business address and telephone number; and (b) a brief description of the testimony you expect that person to provide.

**RESPONSE:** (a) Joe O'Dell, Lindsay Pure Water Company, P.O. Box 1338, Gainesville, Texas 76241. Mr. O'Dell may be contacted through Lindsay Pure Water Company's attorney, John J. Carlton, at 435-2308. Jim Myrick, Lindsay Pure Water Company, P.O. Box 1338, Gainesville, Texas 76241. Mr. Myrick may be contacted through Lindsay Pure Water Company's attorney, John J. Carlton, at 435-2308. (b) Mr. O'Dell may testify regarding the Town of Lindsay's CCN application, Lindsay Pure Water Company's water system and the settlement agreement entered into between Lindsay Pure Water Company and the Town of Lindsay in September 2002. Mr. Myrick may testify regarding the Town of Lindsay's CCN application, Lindsay Pure Water Company's water system and the settlement agreement entered into between Lindsay Pure Water Company and the Town of Lindsay in September 2002.

**INTERROGATORY NO. 3:** Please describe in detail why you oppose the CCNs requested by THE TOWN OF LINDSAY. Please distinguish between water and sewer in your response.

**RESPONSE:** Lindsay Pure Water Company and the Town of Lindsay reached a service area settlement in 2002. That settlement addressed portions of the area requested in the Town of Lindsay's current application and Lindsay Pure Water Company believed that all service area matters were addressed by the settlement agreement. In addition, the Company has received requests for service from Landowners within the area that the Town of Lindsay seeks for certification. Lindsay Pure Water Company is also serving all of the South Ridge of Lindsay subdivision, including Phases 1, 2, 3 and all future phases. Finally, the Company does not believe that the Town of Lindsay has requests for service sufficient to support its requested CCN amendment and that there is no need for service at the current time in large portions of the requested area. To the Company's knowledge, there are no sewer issues in this matter.

**INTERROGATORY NO. 4:** Please state your position concerning the effect of the granting of water and sewer CCNs to THE TOWN OF LINDSAY in the proposed area. This should include the financial consequences, both current and projected, changes in customer base, potential changes in rates charged by THE TOWN OF LINDSAY.

**RESPONSE:** Lindsay Pure Water Company has an existing water CCN adjacent to the proposed area and the Company has plans and requests to serve the landowners within the area designated for certification to the Company under the 2002 settlement agreement and within the Town of Lindsay's proposed its CCN. Lindsay Pure Water Company has facilities in place to serve the South Ridge of Lindsay subdivision, including Phases 1, 2, 3 and future phases. No other CCN is needed at this time, and granting the CCN to the Town of Lindsay would have an adverse effect on the Company's business by reducing customer base and revenue both now and in the future when service is actually needed. The Company will supplement with additional information as the matter progresses. The Company has no information on sewer service, as sewer service is not an issue in this matter.

**INTERROGATORY NO. 6:** Please describe in detail your position regarding the need for additional water and/or sewer utility service to the areas requested by THE TOWN OF LINDSAY, including, but not limited to, identification of any person or entity who has requested service in its requested area(s), identification of the name(s), address(es), and phone number(s) of each person or entity, description of the population in the proposed area(s) sought by each entity in its application(s), and description of the sewer service currently available to each identified person. Please distinguish between water and sewer in your response.

**RESPONSE:** Lindsay Pure Water Company has knowledge of the following service requests from landowners within its CCN and the area designated for it to serve under the 2002 settlement agreement:

Michael Kendall, 365 CR 352, Gainesville, TX 76240 (no phone number given);

David A. Spauft, 203 Elmview, Lindsay, TX (no phone number given);

Julius Hermes, Jr., P.O. Box 32, Lindsay, TX. 76250 (no phone number given);

John C. Benqfort Farm, Al Benqfort, 300 W. 4<sup>th</sup> Street, Lindsay, TX. 76250 (no phone number given);

Walter Lutkenhaus, 779 CR 438, Lindsay, TX 76250, 940-665-6328;

Ben Hermes Farm, Leonard Hermes, 1712 CR 438, Lindsay, TX. 76250, 940-668-8663;

Michael R. Hermes, P.O. Box 257; Lindsay, TX. 76250 (no phone number given); and

Jim Mynah (Myrah?), P.O. Box 5, Lindsay, TX. 76250, 940-736-4413. These requests are also Bates stamped as LPWC 00028-00036.

The Company has a water CCN adjacent to the area the Town of Lindsay proposes to serve and provides continuous and adequate service within that area. The Company does not believe additional water utility service is needed, as the Company can and does adequately serve the customers within its CCN and in all of the South Ridge of Lindsay subdivision, including phases 1, 2, 3 and future phases. There is no current need for service to any additional areas surrounding the Company's CCN and the subdivision. The Company has no knowledge of sewer service, as sewer service is not an issue in this matter.

**INTERROGATORY NO. 8:** Please describe in detail your position regarding the ability of THE TOWN OF LINDSAY to provide continuous and adequate water and/or sewer utility service to the areas requested by THE TOWN OF LINDSAY in its CCN applications.

**RESPONSE:** Lindsay Pure Water Company has an existing water CCN adjacent to the proposed area and provides continuous and adequate service within that area. The Company has plans and requests to serve the landowners within its CCN and the area designated for it to serve under the 2002 settlement agreement. There is no current need for service to any additional areas surrounding the Company's CCN, including areas requested by the Town. The City does not have existing facilities capable of distributing water within the entire requested service area. The Company has no information on sewer service, as sewer service is not an issue in this matter. The Company will supplement with additional information as this matter progresses.

**INTERROGATORY NO. 11:** Please describe in detail your position regarding the effect that granting of THE TOWN OF LINDSAY's CCN applications would have on the environmental integrity of the service areas requested by the applicant. Please distinguish between water and sewer in your response.

**RESPONSE:** Lindsay Pure Water Company has an existing water CCN adjacent to the proposed area and the Company has plans and requests to serve the landowners within its CCN, the South Ridge of Lindsay subdivision, and the area designated for it to serve under the 2002 settlement agreement. Duplication of wells and extensions of lines and to service the same area would adversely impact the environmental integrity of the area by increasing opportunities for pollution of the land and groundwater supplies. The Company has no information on sewer service, as the Company does not provide sewer service. The Company will supplement with additional information as this matter progresses.

**INTERROGATORY NO. 13:** Please describe the proximity of the proposed areas sought in the applications filed by THE TOWN OF LINDSAY to any existing facilities currently operated by you and/or any other retail public utility, if known, and to any water and/or sewer facilities you propose to construct. Please distinguish between water and sewer in your response.

**RESPONSE:** Lindsay Pure Water Company has an existing water CCN and utility adjacent to, and surrounded by, the proposed area. The Company has plans and requests to serve the landowners within its CCN, the South Ridge of Lindsay subdivision, and the area designated for it to serve under the 2002 settlement agreement when the need for such service arises. The Company has no information on sewer service, as the Company does not provide sewer service. The Company will supplement with additional information as this matter progresses.

Respectfully submitted,

  
**JOHN J. CARLTON**

State Bar No. 03817600

**ARMBRUST & BROWN, L.L.P.**

100 Congress Avenue, Suite 1300

Austin, Texas 78701-2744

(512) 435-2300 – Telephone

(512) 436-2360 – Telecopy

**ATTORNEYS FOR LINDSAY PURE  
WATER COMPANY**

**CERTIFICATE OF SERVICE**

By my signature above, I hereby certify that a true and correct copy of the foregoing has been sent by Facsimile and/or First Class Mail on this 30<sup>th</sup> day of April, 2008, to the following:

Arturo D. Rodriguez, Jr.  
Russell & Rodriguez, L.L.P.  
102 West Morrow Street, Suite 103  
Georgetown, Texas 78626  
Phone: (512) 930-1317  
Facsimile: (512) 930-7742

Blas J. Coy, Jr.  
Office of Public Interest Counsel  
TCEQ – MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-6363  
Facsimile: (512) 239-6377

Brian MacLeod, Attorney  
TCEQ – MC-175  
P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-0750  
Facsimile: (512) 239-0606

Docket Clerk  
Office of the Chief Clerk – MC 103  
Texas Commission on Environmental  
Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-3300  
Facsimile: (512) 239-3311

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2008 MAY 21 PM 2:57

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COMMISSION ON ENVIRONMENTAL  
QUALITY



**SOAH DOCKET NO. 582-06-2023  
TCEQ DOCKET NO. 2006-0272-UCR**

**APPLICATION OF THE TOWN OF  
LINDSAY TO AMEND WATER AND  
SEWER CERTIFICATES OF  
CONVENIENCE AND NECESSITY  
(CCN) NOS. 13025 AND 20927 IN  
COOKE COUNTY, TEXAS  
APPLICATION NOS. 35096-C & 35097-C**

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**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

TEXAS  
COMMISSION ON  
ENVIRONMENTAL  
QUALITY  
2008 MAY 21 PM 2:53  
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**LINDSAY PURE WATER COMPANY'S FIRST SUPPLEMENTAL RESPONSE TO THE  
EXECUTIVE DIRECTOR'S SECOND REQUEST FOR ADMISSIONS, DISCLOSURE,  
INTERROGATORIES AND REQUESTS FOR PRODUCTION**

TO: The Executive Director, by and through its attorney of record, Brian MacLeod, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711.

COMES NOW, Lindsay Pure Water Company, Protestant herein, and files its First Supplemental Response to the Executive Director's Second Request for Admissions, Disclosure, Interrogatories and Requests for Production.

**ADMISSIONS**

**ADMISSION NO. 1:** Admit or deny that Lindsay Pure Water Company is currently providing retail water service to customers in the area requested by the Town of Lindsay's applications which are the subject of this proceeding.

**RESPONSE:** Admit.

**INTERROGATORIES**

**INTERROGATORY NO. 2:** If Lindsay Pure Water Company plans to provide retail water and/or sewer service to all or a portion of the area requested by the Town of Lindsay in its applications, please discuss and describe in detail why Lindsay Pure Water Company has not submitted a CCN application to request certification for the requested area.

**RESPONSE:** In May 2002, Lindsay Pure Water Company hired Bill Boomer to apply for a CCN pursuant to the settlement agreement between the City and the Company. A CCN application was never filed because there was not a need for service at the time that would have justified the application and the Company was not aware that its CCN did not include the entire South Ridge of Lindsay subdivision.

Respectfully submitted,

  
**JOHN J. CARLTON**

State Bar No. 03817600

**ARMBRUST & BROWN, L.L.P.**

100 Congress Avenue, Suite 1300

Austin, Texas 78701-2744

(512) 435-2300 – Telephone

(512) 436-2360 – Telecopy

**ATTORNEYS FOR LINDSAY PURE**

**WATER COMPANY**

**CERTIFICATE OF SERVICE**

By my signature above, I hereby certify that a true and correct copy of the foregoing has been sent by Facsimile and/or First Class Mail on this 21<sup>st</sup> day of May, 2008, to the following:

Arturo D. Rodriguez, Jr.  
Russell & Rodriguez, L.L.P.  
102 West Morrow Street, Suite 103  
Georgetown, Texas 78626  
Phone: (512) 930-1317  
Facsimile: (512) 930-7742

Blas J. Coy, Jr.  
Office of Public Interest Counsel  
TCEQ – MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-6363  
Facsimile: (512) 239-6377

Brian MacLeod, Attorney  
TCEQ – MC-175  
P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-0750  
Facsimile: (512) 239-0606

Docket Clerk  
Office of the Chief Clerk – MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-3300  
Facsimile: (512) 239-3311

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COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2008 MAY 21 PM 2:59  
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**ARMBRUST & BROWN, L.L.P.**  
ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360

**FACSIMILE COVER PAGE**

Date: May 21, 2008

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COMMISSION ON  
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NAME:	COMPANY:	FACSIMILE NO.:	TELEPHONE NO.:
Brian MacLeod	Texas Commission on Environmental Quality	(512) 239-0606	(512) 239-0750
Arturo D. Rodriguez	Russell & Rodriguez, L.L.P.	(512) 930-7742	(512) 930-1317
Blas J. Coy, Jr.	Office of Public Interest Counsel	(512) 239-6377	(512) 239-6363
Docket Clerk	Texas Commission on Environmental Quality	(512) 239-3311	(512) 239-3311

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From: John J. Carlton	Telephone No.: (512) 435-2375
Client/Matter No.: 52515.0101	Total No. of Pages Sent: 8

**REMARKS:**

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 ☐ Reply ASAP
 ☐ Please Comment  
☐ Original To Follow Via:
 ☐ Hand Delivery
 ☐ Federal Express
 ☐ First Class Mail

**RE:** SOAH Docket No. 582-06-0203; TCEQ Docket No. 2006-0272-UCR; *Application of the Town of Lindsay to Amend Water and Sewer Certificates of Convenience and Necessity (CCN) Nos. 13025 and 20927 in Cooke County, Texas*; Application Nos. 35096-C & 35097-C

**ATTACHMENTS:**

- 1) Lindsay Pure Water Company's Second Supplemental Response to the Executive Director's First Request for Disclosure, Interrogatories and Requests for Production.
- 2) Lindsay Pure Water Company's First Supplemental Response to the Executive Director's Second Request for Admissions, Disclosure, Interrogatories and Requests for Production..

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT), AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U. S. POSTAL SERVICE. THANK YOU.

329078-1 05/21/2008

**SOAH DOCKET NO. 582-06-2023  
TCEQ DOCKET NO. 2006-0272-UCR**

<b>APPLICATION OF THE TOWN OF</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>LINDSAY TO AMEND WATER AND</b>	<b>§</b>	
<b>SEWER CERTIFICATES OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY</b>	<b>§</b>	<b>OF</b>
<b>(CCN) NOS. 13025 AND 20927 IN</b>	<b>§</b>	
<b>COOKE COUNTY, TEXAS</b>	<b>§</b>	
<b>APPLICATION NOS. 35096-C &amp; 35097-C</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**CITY OF LINDSAY'S 1<sup>ST</sup> SUPPLEMENTAL RESPONSES TO  
LINDSAY PURE WATER COMPANY'S REQUEST FOR DISCLOSURE**

TO: Lindsay Pure Water Company, by and through its attorney, Mr. John Carlton, Armbrust & Brown, LLP, 100 Congress Avenue, Suite 1300, Austin, Texas 78701.

The City of Lindsay ("City" or "Lindsay"), serves this, its 1<sup>st</sup> Supplemental Responses to Lindsay Pure Water Company's Request for Disclosure by and through its attorney, Mr. John Carlton, pursuant to Rules 196, 197, and 198 and other applicable rules of the Texas Rules of Civil Procedure, Chapter 2001 of the Texas Government Code, and applicable rules and regulations of the Texas Commission on Environmental Quality ("TCEQ" or "the Commission") and the State Office of Administrative Hearings ("SOAH").

**A. REQUEST FOR DISCLOSURE**

**Rule 194.2(e)**

The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

**RESPONSE:**

The following individuals have knowledge of relevant facts this proceeding:

Mr. Steven Zwinggi  
Mayor  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Mr. Zwinggi is the mayor for the City of Lindsay.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2008 MAY 19 PM 3:16  
CHIEF CLERK'S OFFICE

Mr. Glenn "Tic" Block  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Mr. Block is an alderman for the City of Lindsay.

Don Metzler  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Mr. Metzler is an alderman for the City of Lindsay.

Jeff Neu  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Mr. Neu is an alderman for the City of Lindsay.

Mr. Danny Nortman  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Mr. Nortman is an alderman for the City of Lindsay.

Mr. David Spaeth  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Mr. Spaeth is an alderman for the City of Lindsay.

Ms. Betsy Fleitman  
City Secretary  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Ms. Fleitman is the City Secretary for the City of Lindsay.

Mr. W.D. Welch  
P.O. Box 127  
Whitesboro, Texas 76273  
(903) 564-3592  
Mr. Welch is the City Attorney for the City of Lindsay.

Mr. Larry Schumacher  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455

Mr. Schumacher is the chairman for the City of Lindsay's Planning and Zoning Commission.

Mr. Norbert Mages  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455

Mr. Mages is the Public Works Director for the City of Lindsay.

Mr. Charles Young  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455

Mr. Young is a contract employee who operates the sewer system for the City of Lindsay.

Mr. Claude Tamplin  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455

Mr. Tamplin is a contract employee who operates the lift station for the City of Lindsay.

Mr. Robert Walterscheid  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455

Mr. Walterscheid is a contract employee who operates the water system for the City of Lindsay.

Mr. Arturo D. Rodriguez, Jr.  
Ms. Faith M. Wright  
102 West Morrow Street, Suite 103  
Georgetown, Texas 78626  
(512) 930-1317

Mr. Rodriguez is counsel for the City of Lindsay. Ms. Wright is Mr. Rodriguez's legal assistant.

Mr. Pat Dillon  
Southwest Consultants  
P.O. 830634  
Richardson, Texas 75083  
(972) 680-3717

Mr. Dillon is a planning consultant for the City.

Mr. Maurice Schwanke  
1209 Southwood Blvd.  
Arlington, Texas 76013  
(817) 469-9927  
Mr. Schwanke is a planning consultant for the City.

Ms. Lori Lusk, P.E.  
Engineering Concepts & Design, L.P.  
2801 Capital Street  
Wylie, TX 75098  
(972) 941-8400  
Ms. Lusk provides mapping/planning services for the City.

Mr. Carlos Aguilar  
Engineering Concepts & Design, L.P.  
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Wylie, TX 75098  
(972) 941-8400  
Mr. Aguilar provides mapping/planning services for the City.

Additionally, the following people may have knowledge of relevant information:

Members of Lindsay Pure Water Company's Board.

Employees of Lindsay Pure Water Company.

Any of the residents in the requested area of the City's Application which received mailed notice.

Staff members of the Texas Commission on Environmental Quality that reviewed Lindsay's Application.

Office of Public Interest Counsel Staff members that reviewed Lindsay's Application.

**Rule 194.2(f)**

For any testifying expert:

- 1) The expert's name, address, and telephone number.

**RESPONSE:**

- (1) Mr. Kerry D. Maroney  
Biggs and Mathews Environmental  
2500 Brook Ave.  
Wichita Falls, TX 76301-6105  
(940) 766-0156

Mr. Jack Stowe  
J. Stowe & Co.  
1560 J. Place  
Suite 379  
Plano, Texas 75074  
(469) 467-7799

**Rule 194.2(f)** For any testifying expert:

- 2) The subject matter on which the expert will testify.

**RESPONSE:** Mr. Maroney will testify regarding the feasibility of the City to provide continuous and adequate service to the entirety of the proposed service area.

Mr. Stowe will testify regarding the financial ability of the City to provide continuous and adequate service to the entirety of the proposed service area.

**Rule 194.2(f)** For any testifying expert:

- 3) The general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by you, employed by you, or otherwise subject to your control, documents reflecting such information.

**RESPONSE:** Mr. Maroney and Mr. Stowe are still evaluating all documents produced in this matter and have not formed any mental impressions or opinions at this time.

**Rule 194.2(f)** For any testifying expert:

- 4) If the expert is retained by, employed by, or otherwise subject to the control of the responding party:
- (a) All documents, tangible things, reports, models or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
  - (b) The expert's current resume and bibliography.

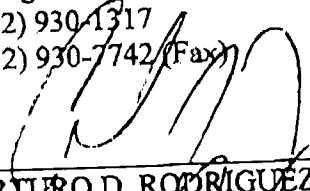
**RESPONSE:** Mr. Maroney and Mr. Stowe have reviewed the Application filed by the City of Lindsay, all discovery produced in this docket and all pleadings provided in this docket. To the extent any party to this proceeding does not



have these documents, copies will be made available by appointment, at the offices of Russell & Rodriguez, LLP located at 102 West Morrow, Suite 103, Georgetown, Texas. Please contact Arturo D. Rodriguez, Jr. at (512) 930-1317 to arrange an appointment.

Respectfully submitted,

**Russell & Rodriguez, L.L.P.**  
102 West Morrow Street, Suite 103  
Georgetown, Texas 78626  
(512) 930-1317  
(512) 930-7742 (Fax)

  
\_\_\_\_\_  
ARTURO D. RODRIGUEZ, JR.  
State Bar No. 00791551

**ATTORNEY FOR THE CITY OF LINDSAY**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of May, 2008, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel of record:

Mr. John Carlton, Attorney  
Armbrust & Brown, LLP  
100 Congress Avenue, Suite 1300  
Austin, Texas 78701  
Fax: 512/435-2360

Mr. Blas Coy, Attorney  
Office of Public Interest Counsel  
TCEQ - MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 239-6377

Mr. Brian MacLeod, Attorney  
Mr. Christiaan Siano  
Environmental Law Division  
TCEQ - MC 173  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 239-0606

Docket Clerk  
Office of the Chief Clerk - MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 239-3311

2008 MAY 19 PM 3:17  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

  
ARTURO D. RODRIGUEZ, JR.

## Kerry D. Maroney, P.E.

Vice President

Biggs & Mathews, Inc.

### Education:

Bachelor of Science in Civil Engineering  
University of Texas at Arlington 1974

### Professional Registration:

Registered Professional Engineer - State of Texas #44639  
Registered Professional Land Surveyor - State of Texas #2855  
Registered Professional Engineer - State of Oklahoma #20730

### Professional Experience:

Mr. Maroney, has more than 30 years of professional experience in the field of civil engineering. He has extensive professional experience in project management, planning, permitting, and design for a wide variety of wastewater projects, water distribution systems, water pump stations, and water treatment facilities.

As Vice-President he is primarily responsible for project development, detailed design and management involving municipal and urban engineering services for the firm.

As Project Manager, Mr. Maroney serves as liaison between the client and the planning and design teams; assuring appropriate project staffing, establishing project control and design criteria, providing for the necessary coordination in meeting project budgets and schedules, and providing for project quality control.

July 1985 to Present: Vice President and Principal Engineer for Biggs & Mathews, Inc. Projects have included permitting, modeling, evaluation, analysis, design and construction management of the following types of engineering projects:

- Municipal Projects - Wastewater collection and treatment systems; wastewater lift stations; wastewater permitting; water treatment plants; water pump stations; water transmission and distribution systems; water supply wells; elevated and ground storage tanks; dams and reservoirs; street design and storm drainage systems.
- Residential Projects - Site, boundary and closing surveys, platting, master planning, water, sewer, street and drainage designs.
- Commercial and Industrial Projects - Site surveys and layouts, drainage, water, sewer and pavement designs, topographic mapping, and parking lot design.
- Solid Waste Projects - Solid waste regional operational and feasibility studies, site selection, site permitting, site modification projects, gas management plans, site closures, and solid waste transfer stations.

---

KERRY D. MARONEY, P.E.

July 1976 to July 1985: Full time participation as a staff Engineer with Biggs & Mathews, Inc.

Dec. 1974 to July 1976: Staff Engineer for the City of Grand Prairie, Texas. Designed and supervised construction of streets, drainage structures, water distribution, wastewater collection, and other related public works improvements within the city.

**Professional Affiliations:**

Texas Society of Professional Engineers  
American Water Works Association  
Texas Rural Water Association

**Recent Post Graduate Continuing Education:**

Water Environmental Association of Texas Conference  
Complying with the Safe Drinking Water Act Regulations  
Systems Using Surface Water Sources  
EPA Seminar on Filtration and Disinfection Requirements for Public Water  
Solid Waste Management Options for Texas

**Note:** The above resume is a brief summary of the engineering experience and expertise of Kerry D. Maroney, P.E. A more detailed and/or project specific resume will be provided upon request.

---

## J. STOWE & CO.

---

Mr. Stowe's public sector consulting career began in 1975. His career includes nine years in a "big-eight" public accounting and consulting firm where he held the title of Manager. After serving one and one-half years as Chief Financial Officer and Treasurer of an International Real Estate firm, Mr. Stowe founded Aries Resource Management as a consulting group dedicated to serving the Public Sector. In 1986 Aries Resource Management entered into a partnership agreement with Reed Municipal Services, Inc., to form Reed-Stowe & Co. In 1997, Reed-Stowe & Co. was purchased by Navigant, Inc. In 2000, Mr. Stowe reacquired his practice from Navigant and the Company was renamed Reed, Stowe & Yanke, LLC. In March 2003, Reed, Stowe & Yanke was acquired by R. W. Beck, Inc. In April 2008, Mr. Stowe founded J. Stowe & Co. and serves as the firm's President.

Mr. Stowe is a recognized expert with regards to the finance and management of utility systems. He has performed over 100 analytical studies for clients, including studies focusing on cost allocation, cost of service determination, and rate design. While his experience encompasses all forms of utility systems, the bulk of Mr. Stowe's work has been in the area of water and wastewater service.

Throughout his career, Mr. Stowe has conducted and/or supervised analyses of rate base, operating income, rate of return, revenue requirements, fully allocated cost of service, and rate design. In many instances, the results of these studies were summarized into expert testimony and presented in rate case proceedings at either the state and/or local jurisdictions. The various jurisdictions Mr. Stowe has performed consulting services in are as follows:

- Arizona Corporation Commission
- Illinois Commerce Commission
- Federal Energy Regulatory Commission
- Kentucky Public Service Commission
- Mississippi Public Service Commission
- New Mexico Public Service Commission
- Oklahoma Corporation Commission
- Public Utility Commission of Texas
- Railroad Commission of Texas
- Texas Commission on Environmental Quality
- Utah Public Service Commission
- Wyoming Public Service Commission

Jack E. Stowe, Jr.

North Texas State University  
Accounting

JACK E. STOWE, JR.

A partial listing of Texas clients for whom Mr. Stowe has conducted water and/or wastewater cost of service, customer class cost allocation, and/or rate design studies listed below:

- |                         |                               |
|-------------------------|-------------------------------|
| ▪ Arlington, Texas      | ▪ Lewisville, Texas           |
| ▪ Bellaire, Texas       | ▪ Lubbock, Texas              |
| ▪ Borger, Texas         | ▪ Mesquite, Texas             |
| ▪ Celina, Texas         | ▪ Midlothian, Texas           |
| ▪ Copperas Cove, Texas  | ▪ North Richland Hills, Texas |
| ▪ Corsicana, Texas      | ▪ Paris, Texas                |
| ▪ Denton, Texas         | ▪ Rowlett, Texas              |
| ▪ Farmers Branch, Texas | ▪ Sachse, Texas               |
| ▪ Georgetown, Texas     | ▪ Sanger, Texas               |
| ▪ Gilmer, Texas         | ▪ Terrell, Texas              |
| ▪ Haltom City, Texas    | ▪ Tyler, Texas                |
| ▪ Kaufman, Texas        | ▪ Waco, Texas                 |
| ▪ Kilgore, Texas        | ▪ Weatherford, Texas          |
| ▪ Knollwood, Texas      | ▪ Wylie, Texas                |

### Papers and Presentations

"Rate Impact of Water Conservation Pricing", Texas Water Conservation Association, 1993

"Alternative Funding for Capital Improvements", Water Environmental Association of Texas, 1994

"Construction Management and Financing Alternatives", Water Environmental Association of Texas, 1994

"Management Audits", Texas Water Conservation Association - Technical Seminar, 1994

"Ins and Outs of Rate Making", American Association of Water Board Directors, 1995

"SBI Deregulation 101",

- Texas Rural Water Association, 1999
- Texas Water Conservation Association, 1998

"Water Retail Wholesale Ratemaking", Texas Water Conservation Association - Technical Seminar, 2000

"Electric Deregulation in Texas", Texas Chapter of the Public Works Association, 2000

"Innovative Financing for Water and Wastewater Utilities", Texas Water Law Seminar, February 2002

"Encroachment Issues: Your Service Area is Worth How Much?", Texas Rural Water Association Annual Conference, March 2002

"Allocating the Cost of Population Growth in Wholesale Water Contracts", Texas Water Law Seminar, January 2007

## RUSSELL &amp; RODRIGUEZ, L.L.P.

Attorneys at Law

Texas Heritage Plaza, 102 West Morrow Street, Suite 103, Georgetown, Texas 78626

Phone (512) 930-1317

E-mail: arodriguez@txadminlaw.com

Fax (512) 930-7742

## FACSIMILE COVER PAGE

May 19, 2008

*Please Deliver the Following page(s) to:*

Mr. John Carlton, Attorney

Fax Number: (512) 435-2360

Mr. Blas Coy, Attorney

Fax Number: (512) 239-6377

Mr. Brian MacLeod

Fax Number: (512) 239-0606

TCEQ Chief Clerk

Fax Number: (512) 239-3311

Client Number: 1140-00

From: Arturo D. Rodriguez, Jr.

Direct Phone: (512) 930-1317

Pages: 12 (Including Cover Sheet)

Re:

Comments: City of Lindsay's 1<sup>st</sup> Supp. Responses to Lindsay's RFD

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2008 MAY 19 PM 3:16  
CHIEF CLERKS OFFICE

**SOAH DOCKET NO. 582-06-2023  
TCEQ DOCKET NO. 2006-0272-UCR**

<b>APPLICATION OF THE TOWN OF</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>LINDSAY TO AMEND WATER AND</b>	<b>§</b>	
<b>SEWER CERTIFICATES OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY</b>	<b>§</b>	<b>OF</b>
<b>(CCN) NOS. 13025 AND 20927 IN</b>	<b>§</b>	
<b>COOKE COUNTY, TEXAS</b>	<b>§</b>	
<b>APPLICATION NOS. 35096-C &amp; 35097-C</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**THE TOWN OF LINDSAY'S 1<sup>ST</sup> SUPPLEMENTAL RESPONSES TO THE  
EXECUTIVE DIRECTOR'S REQUEST FOR DISCLOSURE**

TO: The Executive Director of the Texas Commission on Environmental Quality, by and through his attorney, Mr. Brian MacLeod, P.O. Box 13087, MC 173, Austin, TX 78711-3087.

The Town of Lindsay ("Town" or "Lindsay"), serves this, its 1<sup>st</sup> Supplemental response to the Executive Director's Request for Disclosure by and through his attorney, Mr. Brian MacLeod, pursuant to Rules 196, 197, and 198 and other applicable rules of the Texas Rules of Civil Procedure, Chapter 2001 of the Texas Government Code, and applicable rules and regulations of the Texas Commission on Environmental Quality ("TCEQ" or "Commission") and the State Office of Administrative Hearings ("SOAH").

TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
CHIEF CLERK'S OFFICE  
MAY 19 2008 4:25 PM

**A. REQUEST FOR DISCLOSURE**

**Rule 194.2(e)** The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

**RESPONSE:** The following individuals have knowledge of relevant facts of this proceeding:

Mr. Steven Zwinggi  
Mayor  
P.O. Box 153  
Lindsay, Texas 76250  
(940) 665-4455  
Mr. Zwinggi is the mayor for the City of Lindsay.



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Staff members of the Texas Commission on Environmental Quality that reviewed Lindsay's Application.

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**Rule 194.2(f)** For any testifying expert:

- 1) The expert's name, address, and telephone number.

**RESPONSE:** (1) Mr. Kerry D. Maroney  
Biggs and Mathews Environmental  
2500 Brook Ave.  
Wichita Falls, TX 76301-6105  
(940) 766-0156

Mr. Jack Stowe  
J. Stowe & Co.  
1560 J. Place  
Suite 379  
Plano, Texas 75074  
(469) 467-7799

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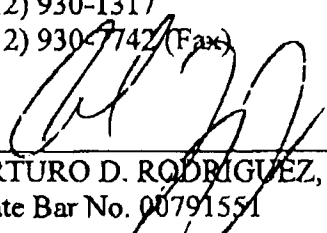
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- (a) All documents, tangible things, reports, models or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
  - (b) The expert's current resume and bibliography.

**RESPONSE:** Mr. Maroney and Mr. Stowe have reviewed the Application filed by the City of Lindsay, all discovery produced in this docket and all pleadings provided in this docket. To the extent any party to this proceeding does not have these documents, copies will be made available by appointment, at the offices of Russell &

Rodriguez, LLP located at 102 West Morrow, Suite 103, Georgetown, Texas. Please contact Arturo D. Rodriguez, Jr. at (512) 930-1317 to arrange an appointment.

Respectfully submitted,

**Russell & Rodriguez, L.L.P.**  
102 West Morrow Street, Suite 103  
Georgetown, Texas 78626  
(512) 930-1317  
(512) 930-7742 (Fax)



---

ARTURO D. RODRIGUEZ, JR.  
State Bar No. 00791551

**ATTORNEY FOR THE CITY OF THE TOWN  
OF LINDSAY**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of May, 2008, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel or party representatives of record:

Mr. John Carlton, Attorney  
Armbrust & Brown, LLP  
100 Congress Avenue, Suite 1300  
Austin, Texas 78701  
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Mr. Blas Coy, Attorney  
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Mr. Brian MacLeod, Attorney  
Mr. Christiaan Siano  
Environmental Law Division  
TCEQ - MC 173  
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Docket Clerk  
Office of the Chief Clerk - MC 105  
Texas Commission on Environmental Quality  
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2008 MAY 19 PM 4: 25  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
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QUALITY

  
ARTURO D. RODRIGUEZ, JR.

**Kerry D. Maroney, P.E.**

Vice President

Biggs &amp; Mathews, Inc.

**Education:**

Bachelor of Science in Civil Engineering

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KERRY D. MARONEY, P.E.

July 1976 to July 1985: Full time participation as a staff Engineer with Biggs & Mathews, Inc.

Dec. 1974 to July 1976: Staff Engineer for the City of Grand Prairie, Texas. Designed and supervised construction of streets, drainage structures, water distribution, wastewater collection, and other related public works improvements within the city.

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American Water Works Association  
Texas Rural Water Association

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Complying with the Safe Drinking Water Act Regulations  
Systems Using Surface Water Sources  
EPA Seminar on Filtration and Disinfection Requirements for Public Water  
Solid Waste Management Options for Texas

**Note:** The above resume is a brief summary of the engineering experience and expertise of Kerry D. Maroney, P.E. A more detailed and/or project specific resume will be provided upon request.



---

## J. STOWE & CO.

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Mr. Stowe's public sector consulting career began in 1975. His career includes nine years in a "big-eight" public accounting and consulting firm where he held the title of Manager. After serving one and one-half years as Chief Financial Officer and Treasurer of an International Real Estate firm, Mr. Stowe founded Aries Resource Management as a consulting group dedicated to serving the Public Sector. In 1986 Aries Resource Management entered into a partnership agreement with Reed Municipal Services, Inc., to form Reed-Stowe & Co. In 1997, Reed-Stowe & Co. was purchased by Navigant, Inc. In 2000, Mr. Stowe reacquired his practice from Navigant and the Company was renamed Reed, Stowe & Yanke, LLC. In March 2003, Reed, Stowe & Yanke was acquired by R. W. Beck, Inc. In April 2008, Mr. Stowe founded J. Stowe & Co. and serves as the firm's President.

Mr. Stowe is a recognized expert with regards to the finance and management of utility systems. He has performed over 100 analytical studies for clients, including studies focusing on cost allocation, cost of service determination, and rate design. While his experience encompasses all forms of utility systems, the bulk of Mr. Stowe's work has been in the area of water and wastewater service.

Throughout his career, Mr. Stowe has conducted and/or supervised analyses of rate base, operating income, rate of return, revenue requirements, fully allocated cost of service, and rate design. In many instances, the results of these studies were summarized into expert testimony and presented in rate case proceedings at either the state and/or local jurisdictions. The various jurisdictions Mr. Stowe has performed consulting services in are as follows:

- Arizona Corporation Commission
- Illinois Commerce Commission
- Federal Energy Regulatory Commission
- Kentucky Public Service Commission
- Mississippi Public Service Commission
- New Mexico Public Service Commission
- Oklahoma Corporation Commission
- Public Utility Commission of Texas
- Railroad Commission of Texas
- Texas Commission on Environmental Quality
- Utah Public Service Commission
- Wyoming Public Service Commission

Jack E. Stowe, Jr.

North Texas State University  
Accounting

JACK E. STOWE, JR.

A partial listing of Texas clients for whom Mr. Stowe has conducted water and/or wastewater cost of service, customer class cost allocation, and/or rate design studies listed below:

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|-------------------------|-------------------------------|
| ▪ Arlington, Texas      | ▪ Lewisville, Texas           |
| ▪ Bellaire, Texas       | ▪ Lubbock, Texas              |
| ▪ Borger, Texas         | ▪ Mesquite, Texas             |
| ▪ Celina, Texas         | ▪ Midlothian, Texas           |
| ▪ Copperas Cove, Texas  | ▪ North Richland Hills, Texas |
| ▪ Corsicana, Texas      | ▪ Paris, Texas                |
| ▪ Denton, Texas         | ▪ Rowlett, Texas              |
| ▪ Farmers Branch, Texas | ▪ Sachse, Texas               |
| ▪ Georgetown, Texas     | ▪ Sanger, Texas               |
| ▪ Gilmer, Texas         | ▪ Terrell, Texas              |
| ▪ Haltom City, Texas    | ▪ Tyler, Texas                |
| ▪ Kaufman, Texas        | ▪ Waco, Texas                 |
| ▪ Kilgore, Texas        | ▪ Weatherford, Texas          |
| ▪ Knollwood, Texas      | ▪ Wylie, Texas                |

## Papers and Presentations

"Rate Impact of Water Conservation Pricing", Texas Water Conservation Association, 1993

"Alternative Funding for Capital Improvements", Water Environmental Association of Texas, 1994

"Construction Management and Financing Alternatives", Water Environmental Association of Texas, 1994

"Management Audits", Texas Water Conservation Association - Technical Seminar, 1994

"Ins and Outs of Rate Making", American Association of Water Board Directors, 1995

"SBI Deregulation 101",

- Texas Rural Water Association, 1999
- Texas Water Conservation Association, 1998

"Water Retail Wholesale Ratemaking", Texas Water Conservation Association - Technical Seminar, 2000

"Electric Deregulation in Texas", Texas Chapter of the Public Works Association, 2000

"Innovative Financing for Water and Wastewater Utilities", Texas Water Law Seminar, February 2002

"Encroachment Issues: Your Service Area is Worth How Much?", Texas Rural Water Association Annual Conference, March 2002

"Allocating the Cost of Population Growth in Wholesale Water Contracts", Texas Water Law Seminar, January 2007