



Control Number: 44010



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SOAH DOCKET NO. 473-15-2123.WS

PUC DOCKET NO. 44010

2015 APR 17 PM 2:21

PETITION OF THE RATEPAYERS
OF THE RIVER PLACE WATER AND
WASTEWATER SYSTEMS FOR
REVIEW OF A DECISION BY THE
CITY OF AUSTIN TO CHANGE
RETAIL RATES

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§

RECEIVED
PUBLIC UTILITY COMMISSION
BEFORE THE STATE OFFICES
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

**COMMISSION STAFF'S RESPONSES TO THE CITY OF AUSTIN'S FIRST REQUEST
FOR INFORMATION TO THE STAFF OF THE PUBLIC UTILITY COMMISSION OF
TEXAS**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files these Responses to the City of Austin's First Request for Information to the Staff of the Public Utility Commission of Texas.

I. BACKGROUND

On March 30, 2015, Staff received the City of Austin's First Request for Information (RFIs) to Staff of the Public Utility Commission of Texas. As required by 16 TAC § 22.144(d), Staff and the City of Austin have conferred to attempt to resolve Staff's objections but were unable to reach an agreement on the disputed requests. Staff filed timely objections to the City of Austin's RFIs on April 9, 2015.¹ Pursuant to Title 16, TEX. ADMIN. CODE (16 TAC) § 22.144(d), the deadline for filing responses to the RFIs is April 17, 2015. Therefore, these responses are timely filed.

II. STAFF'S RESPONSES TO CITY OF AUSTIN'S FIRST RFIs

Subject to and without waiving Staff's prior objections to the RFIs, Staff responds to the City of Austin's first RFIs as follows:

¹ Pursuant to 16 TAC § 22.144(d), objections to requests for information must be filed within ten calendar days of receipt of the requests.

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- a. The correct names of the parties to the lawsuit.

RESPONSE: Staff only has personal knowledge of the correct name of Commission Staff, which can be found on the Commission's website at <http://www.puc.texas.gov/>. Any other information Staff has regarding the names of the parties to the proceeding can be found by searching for the documents pertaining to this proceeding on the Public Utility Commission's Interchange website, which can be accessed at: <http://interchange.puc.texas.gov/WebApp/Interchange/application/dbapps/login/pgLogin.asp>.

Prepared by: Jessica Gray/Thomas Tynes

- b. The name, address, and telephone number of any potential parties.

RESPONSE: Staff is not aware of any potential parties.

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- c. The legal theories and, in general, the factual bases of the responding party's claims or defenses (the responding party need not marshal all evidence that may be offered at trial).

RESPONSE: Staff has not yet designated anyone as a testifying expert in this case. Staff has not yet developed legal theories or identified the factual bases for the issues in this proceeding. Staff is still in the process of discovering and analyzing the facts in this case and has not yet reached a conclusion on the merits of the application. At this time, Staff has put forward no arguments or points and, therefore, no contentions. Staff's contentions will be made at the time its direct testimony and/or statement of position is filed.

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- d. The amount and any method of calculating economic damages.

RESPONSE: It is Staff's understanding that economic damages have not been requested in this proceeding.

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- e. The name, address, and telephone number of any and all persons having knowledge of any relevant facts, and a brief statement of each identified person's connections with this case.

RESPONSE: Staff has not yet designated anyone as a testifying expert in this case. However, the following individuals may have knowledge of relevant facts in this proceeding:

Jessica Gray
Thomas Tynes
Sam Chang
Shelah Cisneros
Stephen Mack
Karen Hubbard
Margaret Uhlig Pemberton
Tammy Benter
Lisa Fuentes
Debi Loockerman
Emily Sears
Heidi Graham
Jolie Mathis

At this time, as Staff has not designated testifying experts in this proceeding. The above-mentioned individuals are Commission Staff that are aware of the pending proceeding. The address and telephone numbers of the individuals listed above can be found on the Commission's website at <http://www.puc.texas.gov/>.

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- f. For any testifying expert:
1. The expert's name, address, and telephone number:
 2. The subject matter on which the expert will testify:
 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, employed by, or otherwise subject to the control of the party to whom this Request is addressed, documents reflecting such information:
 4. If the expert is retained by, employed by, or otherwise subject to the control of the party to whom this Request is addressed:
 - A. All documents, tangible things, reports, models, or data compilations that have been provided to, review [sic] by, or prepared by or for the experts in anticipation of the expert's testimony; and
 - B. The expert's current resume and bibliography.

RESPONSE:

1. Staff has not yet designated anyone as a testifying expert in this case.
2. Staff has not yet designated anyone as a testifying expert in this case.
3. Staff is still in the process of discovering and analyzing the facts in this case and has not yet reached a conclusion on the merits of the application. At this time, Staff has put forward no arguments or points and, therefore, no contentions. Staff's contentions will be made at the time its direct testimony and/or statement of position is filed.
4.
 - A. Staff has not yet designated anyone as a testifying expert in this case.
 - B. Staff has not yet designated anyone as a testifying expert in this case.

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g. Any indemnity and insuring agreements.

RESPONSE: Staff is not aware of any indemnity and insuring agreements pertaining to this proceeding.

Prepared by: Jessica Gray/Thomas Tynes

- h. Any settlement agreements.

RESPONSE: Staff is not aware of any settlement agreements pertaining to this proceeding.

Prepared by: Jessica Gray/Thomas Tynes

- i. Any witness statements.

RESPONSE: Staff has not yet designated anyone as a testifying expert in this case. Staff is still in the process of discovering and analyzing the facts in this case and has not yet reached a conclusion on the merits of the application. At this time, Staff has put forward no arguments or points and, therefore, no contentions. Staff's contentions will be made at the time its direct testimony and/or statement of position is filed.

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- j. In a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills.

RESPONSE: It is Staff's understanding that no physical or mental injury has been alleged in this proceeding and, therefore, that no damages for such have been requested.

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- k. In a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills obtained by the party to whom this Request is addressed by virtue of an authorization furnished by the requesting party.

RESPONSE: It is Staff's understanding that no physical or mental injury has been alleged in this proceeding. Additionally, Staff is not aware of any medical records or bills pertaining to this proceeding.

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1. The name, address, and telephone number of any person who may be designated as a responsible third party.

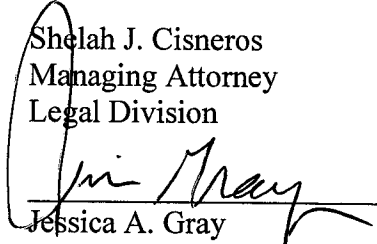
RESPONSE: Staff is not aware of any person who may be designated as a responsible third party in this matter.

Prepared by: Jessica Gray/Thomas Tynes

DATE: April 17, 2015

Respectfully Submitted,
Margaret Uhlig Pemberton
Division Director
Legal Division

Shelah J. Cisneros
Managing Attorney
Legal Division



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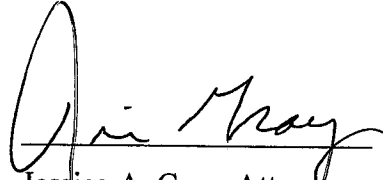
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7268 (facsimile)

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 17th day of April, 2015 in accordance with 16 TAC § 22.74.



Handwritten signature of Jessica A. Gray in black ink, written over a horizontal line.

Jessica A. Gray, Attorney