

Control Number: 44541



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SOAH DOCKET NO. 473-15-2102.WS

PUC DOCKET NO. 43463

2015 MAY -7 PM 1:18

FORNEY LAKE WATER SUPPLY  
CORPORATION'S REQUEST FOR  
CEASE AND DESIST ORDER AGAINST  
THE CITY OF HEATH

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STATE OFFICE OF  
FILING CLERK

ADMINISTRATIVE HEARINGS

PUC DOCKET NO. 44541

APPLICATION OF CITY OF HEATH TO  
AMEND A CERTIFICATE OF  
CONVENIENCE AND NECESSITY AND  
TO DECERTIFY A PORTION OF  
FORNEY LAKE WATER SUPPLY  
CORPORATION'S SERVICE AREA IN  
ROCKWALL COUNTY

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PUBLIC UTILITY COMMISSION

OF TEXAS

**NOTICE OF INTENTION TO TAKE THE  
ORAL DEPOSITION OF ROBIN BALEY  
AND SUBPOENA DUCES TECUM BY AGREEMENT**

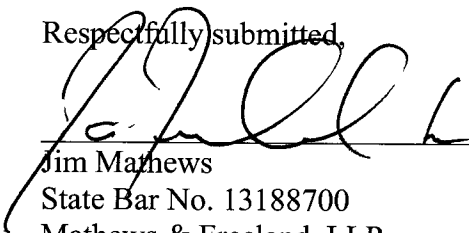
TO: Robin Baley by and through the attorney of record for Forney Lake Water Supply Corporation, Arturo Rodriguez, Russell and Rodriguez LLP, 1633 Williams Dr., Building 2, Suite 200, Georgetown, Texas 78632

PLEASE TAKE NOTICE that pursuant to P.U.C. Procedural Rule 22.143 and by agreement of the parties, counsel for the City of Heath will take the oral deposition of Robin Baley on **Tuesday, May 12, 2015, at 1:00 pm** at the City of Heath Offices, 200 Laurence Dr., Heath, Texas, and continuing from day to day thereafter until completed. The deposition will be taken under oath before an officer authorized by law to take the deposition. Such deposition may be used as evidence in the above styled causes.

PLEASE TAKE FURTHER NOTICE that, in connection with the taking of the deposition, the deponent shall produce the documents described on Attachment A to this notice.

The parties have agreed that service of this notice on Mr. Rodriguez has the same effect as a subpoena served on Ms. Baley.

Respectfully submitted,



Jim Mathews

State Bar No. 13188700  
Mathews & Freeland, LLP  
327 Congress Ave., Ste. 300  
Austin, Texas 78701  
Telephone (512) 404-7800  
Facsimile (512) 703-2785

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this Notice of Deposition was served on all parties of record in this proceeding on this 6th day of May, 2015, by hand-delivery, facsimile, electronic mail, and/or First Class Mail.

Arturo Rodriguez, Jr.  
Attorney for FLWSC  
Russell & Rodriguez LLP  
1633 Williams Dr., Building 2, Suite 200  
Georgetown, Texas 78632  
866-929-1641 (fax)

A.J. Smullen  
Attorney, Legal Division Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
512-936-7268 (fax)



Joe Freeland

## **ATTACHMENT A**

### **Documents Requested**

Robin Baley also is required to bring all non-privileged documents (whether in print, magnetic, electronic or other format) such as, but not limited to, papers, studies, analyses, emails (both existing and deleted), notes, books, reports, computations, calculations, cost estimates, valuations, charts, spreadsheets, diagrams, maps, photographs, videotape, correspondence and writings and recordings of any kind that she has created, revised, reviewed, sent or received related to:

1. Deponent's Responses to The City of Heath's First Request for Information.
2. June 2, 2011 Notice to Forney Lake WSC.
3. Heath's Application for Single Certification filed on or about March 16, 2015.
4. Forney Lake WSC's Petition for Cease and Desist Order.
5. Any Property of Forney Lake that may be rendered useless or valueless if single certification as requested by Heath is granted.
6. Any Forney Lake WSC financial statement produced in the last ten years that pertains to its equipment and facilities located in Heath's corporate limits.