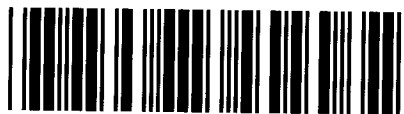




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DOCKET NO. 44541

**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

FILING CLERK

**COMMISSION STAFF'S FIRST REQUEST FOR
INFORMATION TO CITY OF HEATH (HEATH)
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-3**

Pursuant to § 22.144 of the Commission's Procedural Rules, the Staff of the Public Utility Commission of Texas (Staff) requests that the City of Heath (Heath) by and through its attorneys of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.

Dated: April 2, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

Stephen Mack
Managing Attorney-Legal Division



A. J. Smullen
Attorney-Legal Division
State Bar No. 24083881
(512) 936-7289
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 2, 2015, in accordance with P.U.C. Procedural Rule 22.74.



A. J. Smullen

DOCKET NO. 44541

**COMMISSION STAFF'S FIRST REQUEST FOR
INFORMATION TO CITY OF HEATH (HEATH)
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-3**

DEFINITIONS

- 1) "Heath", "the Company" or "you" refers to the City of Heath and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do not exist and these documents will be provided.

DOCKET NO. 44541

**COMMISSION STAFF'S FIRST REQUEST FOR
INFORMATION TO CITY OF HEATH (HEATH)
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-3**

INSTRUCTIONS

- 1) Pursuant to P.U.C. Proc. R. 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to P.U.C. Proc. R. 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

DOCKET NO. 44541

**COMMISSION STAFF'S FIRST REQUEST FOR
INFORMATION TO CITY OF HEATH (HEATH)
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-3**

STAFF 1-1 Please describe whether the area affected by the application has been incorporated or annexed by you. If some areas are annexed while others are incorporated, please provide sufficient detail describing each area.

STAFF 1-2 Please refer to TEXAS WATER CODE § 13.255(m):

- a. Please demonstrate that your existing public drinking water systems comply with the minimum requirements for public drinking water systems promulgated by the Texas Commission on Environmental Quality (TCEQ).
- b. Please demonstrate that you will comply with the minimum requirements for public drinking water systems promulgated by the TCEQ with respect to the area affected by your application.

STAFF 1-3 Please refer to 16 TAC § 24.120(n). Please demonstrate that you have obtained a finding from the TCEQ that you will demonstrate compliance with the TCEQ's minimum requirement for public drinking water systems pursuant to 30 TAC Chapter 290, Subchapter D.