



Control Number: 44820



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DOCKET NO. 44820

APPLICATION OF CITY OF
HACKBERRY FOR A SEWER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN DENTON
COUNTY

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO THE CITY OF HACKBERRY
QUESTION NO. STAFF 1-1**

Pursuant to 16 Tex. Admin. Code Ann. § 22.144 (TAC), the Staff of the Public Utility Commission of Texas (Staff) requests the City of Hackberry 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.

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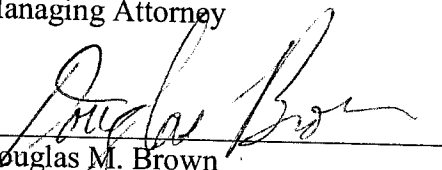
Dated: July 28, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Stephen Mack
Managing Attorney

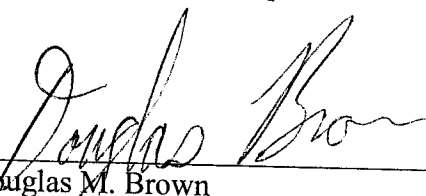


Douglas M. Brown
State Bar No. 24048366
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7203
(512) 936-7268 (facsimile)

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 28, 2016, in accordance with 16 TAC § 22.74.


Douglas M. Brown

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO THE CITY OF HACKBERRY
QUESTION NO. STAFF 1-1**

DEFINITIONS

- A. **"Hackberry"** or **"you"** refers to the City of Hackberry and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

- B. **"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.

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
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QUESTION NO. STAFF 1-1**

INSTRUCTIONS

- 1) Pursuant to 16 TAC § 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 16 TAC § 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.

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QUESTION NO. STAFF 1-1**

Staff 1-1

Please review the violations listed below and provide documentation to the PUC to show these violations have been resolved by the Texas Commission on Environmental Quality (TCEQ):

- a) The water system has violations listed in the Drinking Water Watch website maintained by the TCEQ for not providing the Public Notice for Total Coliform Rule violations in September 2011 & October 2011. If these public notices were provided or if you have any questions regarding these violations, please contact TCEQ's Water Supply Division to discuss.
- b) The system has a violation for the wastewater system for "Failure to comply with the permitted effluent limitations", the violation is from August 2011. If you have any questions regarding this violation, please contact TCEQ's Water Quality Division to discuss.
- c) The wastewater system received an Agreed Order from TCEQ's Enforcement division, signed on 4/8/2016. Provide documentation from TCEQ that verifies these violations have been corrected and the system is now in compliance.