

Control Number: 44992



Item Number: 13

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DOCKET NO. 44992

**APPLICATION OF TEXAMERICAS §
CENTER AND RIVERBEND WATER §
RESOURCES DISTRICT FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN BOWIE COUNTY §**

PUBLIC UTILITY COMMISSION

OF TEXAS

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FILING CLERK

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO RIVERBEND WATER RESOURCES DISTRICT
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

Pursuant to 16 Tex. Admin. Code § 22.144 (TAC) of the Commission's Procedural Rules, the Staff of the Public Utility Commission of Texas (Staff) requests that Riverbend Water Resources District 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.

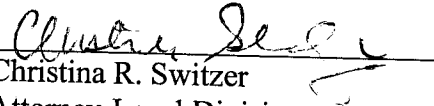
Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.

Dated: November 2, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

Stephen Mack
Managing Attorney-Legal Division


Christina R. Switzer
Attorney-Legal Division
State Bar No. 24066171
(512) 936-7216
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on November 2, 2015, in accordance with 16 Tex. Admin. Code § 22.74.


Christina R. Switzer

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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO RIVERBEND WATER RESOURCES DISTRICT
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

DEFINITIONS

- 1) "Riverbend", "the Company" or "you" refers to Riverbend Water Resources District and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- 2) "Applicants" refers to TexAmericas Center and Riverbend Water Resources District, collectively.
- 3) "Application" refers to the Application for Sale, Transfer, or Merger of a Retail Public Utility filed by Riverbend Water Resources District on July 30, 2015.
- 4) "TCEQ" refers to the Texas Council on Environmental Quaility.
- 5) "PUC" refers to the Public Utility Commission of Texas.
- 6) "Revenue bonds" is used as the term is used in the TexAmericas Center Annual Financial Report for the Fiscal Year Ended Septmber 30, 2014.
- 7) "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
TO RIVERBEND WATER RESOURCES DISTRICT
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

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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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO RIVERBEND WATER RESOURCES DISTRICT
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-6**

- Staff 1-1** Please refer to the Application at page 6, Item No. 12. Please clarify the total purchase price. In particular, clarify the type of debt that Riverbend plans to discharge and how Riverbend plans to discharge the debt. Please provide all supporting documentation.
- Staff 1-2** If the debt to be discharged is related to revenue bonds that will remain with the TexAmerica Center, please explain how assets could be transferred separate from the revenue bonds.
- Staff 1-3** Please refer to the Application at pages 12-15, Projected Information. Provide five-year projected financial statements for Riverbend, as follows:
a) Statement of Net Position
b) Statement of Revenues, Expenses, and Changes in Net Position
c) Statement of Cash Flows
- Staff 1-4** Please refer to the Application at page 16, Item No. 13.C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards.
- Staff 1-5** Please refer to the Application at page 17, Item No. 23. Provide a list of the name, class, and license number of operator(s) that will be responsible for the system (the list was not attached to the original filing).
- Staff 1-6** Please provide a copy of the draft or proposed deed of sale or sale contract between TexAmerica Center and Riverbend.