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PUBLIC UTILITY COMMISSION
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RATEPAYERS' APPEAL OF THE
DECISION BY TROPHY CLUB
MUNICIPAL UTILITY DISTRICT NO. 1
TO CHANGE RATES

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PUBLIC UTILITY COMMISSION
OF TEXAS

PREFILED DIRECT TESTIMONY & EXHIBITS
OF
PAMELA LISTON

ON BEHALF OF
TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1

EXHIBIT TC-3

JUNE 21, 2016

56

**PREFILED DIRECT TESTIMONY & EXHIBITS
OF PAMELA LISTON**

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EXHIBITS

Resume, Pamela Liston.....	Exhibit TC-3A
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1 **PREFILED DIRECT TESTIMONY**
2 **OF PAMELA LISTON**

3 **I. INTRODUCTION**

4 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS FOR THE**
5 **RECORD.**

6 **A. Pamela Liston, PO Box 1882, Rowlett, TX 75030**

7 **II. WITNESS' BACKGROUND**

8 **Q. WHAT IS YOUR EDUCATIONAL AND PROFESSIONAL BACKGROUND**
9 **THAT MAKES YOU QUALIFIED TO TESTIFY IN THIS CASE?**

10 **A. I hold a juris doctor from Texas Tech University School of Law. I have been licensed**
11 **to practice law since November 4, 1994. I have performed legal representation in the**
12 **area of public and municipal law on behalf of governmental entities since 1996.**

13 **Q. HAVE YOU HAD OTHER TRAINING AND EXPERIENCE IN UTILITY**
14 **SYSTEM DESIGN AND CONSTRUCTION?**

15 **A. No.**

16 **Q. IS EXHIBIT TC-3A COPY OF YOUR CURRENT RESUME?**

17 **A. Yes.**

18 **Q. DID YOU PREPARE EXHIBIT TC-3A?**

19 **A. Yes.**

20 **Q. DOES EXHIBIT TC-3A ACCURATELY REFLECT YOUR EDUCATIONAL**
21 **BACKGROUND, WORK EXPERIENCE AND PROFESSIONAL TRAINING?**

22 **A. Yes.**

1 Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

2 A. The Liston Law Firm, P.C. I am a partner in the firm.

3 III. RELATIONSHIP WITH TCMUD

4 Q. WHAT IS YOUR RELATIONSHIP WITH TROPHY CLUB MUNICIPAL
5 UTILITY DISTRICT NO. 1 ("TCMUD")?

6 A. I am TCMUD's general counsel and have acted in that capacity since consolidation of
7 TCMUD Nos. 1 and 2 in 2009. Prior to that, I was general counsel for TCMUD No. 2
8 from 2000 to 2009.

9 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS MATTER?

10 A. My testimony will explain the legal expenses that TCMUD has incurred for my services
11 as general counsel that relate specifically to this appeal.

12 IV. FIRM'S EXPENSES

13 Q. HOW MUCH HAS YOUR FIRM BILLED TCMUD TO DATE FOR RATE
14 CASE RELATED LEGAL SERVICES IN THIS MATTER?

15 A. As of 6/19/16, the firm has billed \$11,154.74 in this matter.

16 Q. WHY ARE THESE EXPENDITURES REASONABLE AND NECESSARY?

17 A. It was necessary for me, as general counsel, to secure experienced local litigation
18 counsel for the PUC rate challenge. I oversee that work as general counsel for the
19 District.

1 Q. WHAT STANDARDS DO YOU USE IN EVALUATING THE
2 REASONABLENESS OR NECESSITY OF EXPENSES RELATED TO YOUR
3 LEGAL SERVICES?

4 A. Years of experience and rate comparisons with other attorneys performing similar
5 work.

6 Q. PLEASE PROVIDE A FEW EXAMPLES OF THE TYPE OF WORK YOU
7 HAVE PERFORMED IN THIS CASE.

8 A. Attending hearings and meetings; providing legal advice to client; researching law and
9 procedure; discussions of procedure, facts, and law with litigation counsel, expert
10 witness, and general manager; reviewing and payment processing for litigation attorney
11 time and expert witness time.

12 Q. IS YOUR FEE FIXED OR CONTINGENT UPON THE OUTCOME OF THIS
13 CASE?

14 A. No.

15 V. CONCLUSION

16 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

17 A. Yes. I reserve the right to update it to reflect the time actually spent between the
18 prefiling of my testimony and the close of the record on rate case expenses.

PAMELA HARRELL LISTON, J.D.

P.O. Box 1882
Rowlett, TX 75030-1882
972-475-2794
972-463-4158 (fax)
pamela.liston@listonlaw.net

EDUCATION

Doctor of Jurisprudence, Texas Tech University School of Law, Lubbock, Texas, May 1994
Bachelor of Arts in English, Texas Tech University, Lubbock, Texas, December 1989

WORK EXPERIENCE

Attorney at Law, THE LISTON LAW FIRM, P.C., 2002 to Present, Partner
District Attorney for Trophy Club Municipal Utility District No. 1, 2009 to Present
District Attorney for Trophy Club Municipal Utility District No. 2, 2002 to Present
Chancellor, North Texas Conference of the United Methodist Church, 2012 to Present
Municipal Judge, City of Rowlett, 2011 to Present
City Prosecutor, City of Rowlett, 1996 to 2011, Prosecution of Trial and Appellate Cases
Attorney at Law, Cowles & Thompson, P.C., 1997 to 2002, Public Law Section
City Attorney for Rowlett, Texas, 2000 to 2002
District Attorney for Trophy Club Municipal Utility District No. 2, 2000 to 2002
Town Attorney for Trophy Club, Texas 1999 to 2000
Assistant City Attorney, 1996 to 2002, for the Cities of Addison, Bedford, Fairview, Heath, Keller, Lakewood Village, Little Elm, Rockwall, Rowlett, The Colony, Trophy Club, Double Oak, and Saint Jo; Advisor to the City of Addison Police Department, 1997 to 2002
Criminal Justice Act (CJA) Panel Attorney for the UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, 1998 to present, Representation of Indigent Criminal Defendants
Faculty and Legal Article Contributor, Texas Municipal Courts Education Center (TMCEC)
Faculty Member for Judges Conferences and Legislative Updates 2010, 2012, 2013, 2015
Faculty Member for Prosecutors Conferences 2000, 2004, and 2010
Author, "Hate Crimes: Prosecute in Municipal Court?" *Municipal Court Recorder*, March 2002
Author, "Blue Headlight Laws" *Municipal Court Recorder*, 1999
Dallas County District Attorney's Office, Appellate Division, 1995
Teacher of High School English, Floydada Independent School District, Floydada, Texas, 1990-1991

COMMUNITY AND VOLUNTEER SERVICE

THE LISTON LAW FIRM, P C SCHOLARSHIP for first-generation college students of Hispanic decent, 2014 to Present
TMCEC Judges Mentorship Program Mentor to New Judges, 2012 to Present
United Methodist Church Chancellors Conference Association, Executive Board, Legislative Chair, 2011 to Present
When Sean Speaks Organizer and Presenter, Rowlett High School, April 2016
Rowlett Police Department Youth and Teen Academy Presenter, 2011 to Present
Leadership Rowlett Development Team, Rowlett Chamber of Commerce, 2008-2010
Children's Sermon Leader, First United Methodist Church of Rowlett, 2004 to present
Life Group Teacher, Middle School and High School Age Levels, First United Methodist Church of Rowlett 1999 to present
Staff Parish Relations Committee, First United Methodist Church of Rowlett, 2006-2009 (Chair, 2008 and 2009)
GISD Kimberlin Academy Elementary School PTA, Executive Board, 2006-2007, 2009-2010, and 2010-2011
GISD Austin Academy Middle School PTA, Executive Board and Grade Level Coordinator, 2007-2008 and 2010-2011
Fifth Grade Camp Counselor, Kimberlin Academy of Excellence, Camp Goddard, 2006 and 2008
Women's Conference Director, First United Methodist Church of Rowlett, 2005
Leadership Rowlett Class Member, Class XIV, 2005
Women's Conference Retreat Music/Worship Leader, First United Methodist Church of Rowlett, 2003 to 2009
Board of Trustees, First United Methodist Church of Rowlett, 2000-2003 (Chair, 2003)

Coach, Rowlett High School Mock Trial Team, Rowlett, Texas, 2002- 2003 and 2003-2004
Phi Alpha Delta Law Service Fraternity "Drugs and the Law," High School and Middle School Youth Education Program
Director and Presenter, 1991-1994
Lubbock Independent School District, Estacado High School, At-Risk Youth Counselor and Tutor (Emphasis on
Teen Parents Completing School), Summer 1989

HONORS, AFFILIATIONS, SEMINARS AND PAPERS PRESENTED

Admitted to Practice before the United States Supreme Court
Admitted to Practice before all State Courts of Texas
Admitted to Practice before the United States District Court for the Northern District of Texas
Admitted to Practice before the United States Court of Appeals for the Fifth Circuit
Member, Fifth Circuit Bar Association
Member, Dallas Bar Association
Member, College of the State Bar of Texas, 2008
International Baccalaureate Keynote Graduation Banquet Address, Garland High School, May 2016
Presenter, "Habeas Corpus," Judges Seminars, Texas Municipal Courts Education Center, 2013-2014
Presenter, "Managing Juvenile Cases," Judicial Preconference, Texas Municipal Courts Education Center, 2011-2012
Presenter, "Mechanics of Appeals," Texas Municipal Courts Education Center, Judicial Conferences, 2009-2010
Author, "Issues in Urban Ministry: How Church and Society are Addressing the Sex Trafficking Pandemic," Published
Academic Paper in the *Perkins Student Journal*, 2009-2010, Southern Methodist University
Speaker, "Fifth Circuit Appeal and Oral Argument, Law Practice, and Emphasis on Excellence in Legal Research
and Writing" Texas Tech University School of Law, Legal Research & Writing Seminar, Fall 2009
Teacher, "Methodism 101," First United Methodist Church of Rowlett, 2008 and 2009
Presenter, "Open Government," Texas Association of Water Board Directors, Winter 2004
Program Director, Texas Municipal Courts Education Center, 2004
Presenter, "Alternate Methods of Water District Management," Texas Association of Water Board Directors Conference,
Winter 2003
Presenter, "Juvenile Issues," Texas Municipal Courts Education Center, 2000
Presenter, "Mechanics of Appeals: Courts of Record and Non Courts of Record," Prosecutors Conferences, TMCEC, 2009-2010
Board of Barristers (Trial Skills Excellence), Texas Tech University School of Law, 1992-1994,
Full Scholarship Recipient (1993-1994), and Executive Board Member (1993-1994)
Outstanding Service Award, Board of Barristers, Texas Tech University School of Law, 1994
National Competition Team Member, Marshall Moot Court Appellate Team, Texas Tech University School of Law, 1993
Vice-President, Phi Alpha Delta, Law Fraternity, Texas Tech University School of Law, 1993-1994
President, English Honor Society, Sigma Tau Delta, Texas Tech University, 1988-1989