



Control Number 45231



Item Number 65

Addendum StartPage 0

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

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

PUBLIC UTILITY DISTRICT NO. 1
FILING CLERK

**TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1'S
RESPONSE TO RATEPAYERS THIRD REQUEST FOR INFORMATION
QUESTION NOS. RATEPAYER 3-1 THROUGH 3-5**

COMES NOW Trophy Club Municipal Utility District No. 1 ("TCMUD1") and files its Response to Ratepayers Third Request for Information – Question Nos. Ratepayer 3-1 through 3-5.

Respectfully submitted,

By: 
John J. Carlton

John J. Carlton
The Carlton Law Firm P.L.L.C.
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Austin, Texas 78746
(512) 614-0901
Fax (512) 900-2855
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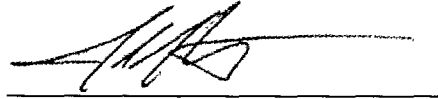
ATTORNEY FOR TROPHY CLUB MUNICIPAL
UTILITY DISTRICT NO. 1

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CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 18th day of August, 2016.

A handwritten signature in black ink, appearing to read 'J. Carlton', is written over a horizontal line.

John Carlton

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**REQUEST FOR INFORMATION
QUESTION NOS. RATEPAYER 3-1 THROUGH 3-5**

Ratepayer 3-1. Provide document(s) showing the total volume of all commercial water charged a sewer fee on a monthly basis for calendar year 2014.

Response: TCMUD1 will produce responsive and non-privileged documents.

Ratepayer 3-2. Provide document(s) showing the total volume of all residential water charged a sewer fee on a monthly basis for calendar year 2014.

Response: TCMUD1 will produce responsive and non-privileged documents.

Ratepayer 3-3. Provide documents showing basis for 10% electricity inflation factor (Chris Ekrut Direct Testimony, TC-5B, pg. 2).

Response: The 10% electricity inflation factor reflects the historical inflation factor used by Trophy Club Staff within the budgeting process. TCMUD1 will produce responsive and non-privileged documents.

Prepared by: Chris Ekrut

Sponsored by: Chris Ekrut

Ratepayer 3-4. Provide actual expenses and revenue for Budget Input & Revenue Requirement Development Charts (Chris Ekrut Direct Testimony, TC-5B, pgs. 6 14).

Objection: TCMUD1 objects to this request as overbroad because it is not limited to the relevant test year and, without a time limitation, is irrelevant under the standard of review for this proceeding because the request is not limited to the relevant test year. TCMUD1 also objects to this request because it is duplicative and asks for information that has already been produced in this proceeding. See TCMUD1's response to Staff's Second RFI, Requests 2-2, 2-7 and 2-8. TCMUD1 also objects to this request as it seeks information not reasonably available to TCMUD1 at the time TCMUD1 made its decision regarding the rates that are the subject of this appeal. Texas Water Code §13.043(e) limits the Commission's review to "only the information that was available to the governing body at the time the governing body made its decision and evidence of reasonable expenses

incurred by the retail public utility in the appeal proceedings.” Because the revenue requirement was determined based upon the future test year of October 1, 2015 through September 30, 2016, information and documents regarding “actual expenses and revenue for Budget Input & Revenue Requirement Development Charts” is information that was not available to TMCUD1 “at the time [it] made its decision. .”

Response: Without waiving and notwithstanding the foregoing objections, TCMUD1 directs Ratepayers’ to TCMUD1’s response to Staff’s Second RFI, Requests 2-2, 2-7 and 2-8.

Ratepayer 3-5. Provide documents showing average residential water use on a monthly basis for calendar year 2014.

Response: TCMUD1 will produce responsive and non-privileged documents subject to the Commission rules for production of confidential documents.

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VERIFICATION

THE STATE OF TEXAS

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COUNTY OF DENTON

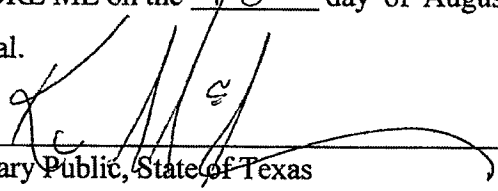
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BEFORE ME, the undersigned authority, on this day personally appeared Jennifer McKnight, who being by me duly sworn, on oath stated that she is an authorized representative of Trophy Club Municipal Utility District No. 1, that she has read the above and foregoing Response to Ratepayers Third Request for Information and that the answers are true and correct.


Jennifer McKnight

SUBSCRIBED AND SWORN TO BEFORE ME on the 18th day of August, 2016
to certify which, witness my hand and official seal.




Notary Public, State of Texas

RESPONSIVE TO RATEPAYERS 3-1 AND 3-2

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RESPONSIVE TO RATEPAYERS 3-3

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