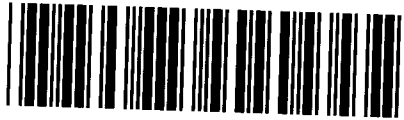




Control Number: 45248



Item Number: 51

Addendum StartPage: 0

SOAH DOCKET NO. 473-16-2099.WS  
PUC DOCKET NO. 45248

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RATEPAYERS' APPEAL OF THE  
DECISION BY THE CITY OF FRITCH  
TO CHANGE RATES

§  
§  
§

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

PUBLIC UTILITY COMMISSION  
FILING CLERK

**THE CITY OF FRITCH'S FIRST SET OF REQUESTS FOR INFORMATION  
TO COMMISSION STAFF**

TO: The Public Utility Commission of Texas, by and through its attorney of record, Brittany May Johnson, 1701 N. Congress Avenue, Austin, Texas 78714-3326.

The City of Fritch ("City" or "Fritch") requests that Commission Staff ("Commission" or "Staff") provide the following information and answer the following questions under oath within five (5) business days, or sooner if practicable. The answers should be provided in sufficient detail to present all relevant facts. 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. For each response, please state the Request for Information and identify the individuals responsible for preparing and sponsoring the response by name and title.

For any responses that require the use of or reference to information previously provided by the Commission in this case that has been designated "Confidential" or "Highly Sensitive" material, please provide responses in accordance with the terms of the Protective Order and the Commission's Rules relating to "Confidential" and "Highly Sensitive" materials. See P.U.C. Proc. R. 22.142.

51

All information responsive to the attached requests should be made to:

Brennan Foley  
Herrera & Boyle, PLLC  
816 Congress Avenue, Suite 1250  
Austin, Texas 78701

Respectfully submitted,

**HERRERA & BOYLE, PLLC**  
816 Congress Avenue, Suite 1250  
Austin, Texas 78701  
(512) 474-1492  
(512) 474-2507 FAX

By *Brennan Foley by permission*  
Alfred R. Herrera  
State Bar No. 09529600 *M. W. D.*  
aherrera@herreraboylelaw.com  
Brennan J. Foley  
State Bar No. 24055490  
bfoley@herreraboylelaw.com

**ATTORNEYS FOR THE CITY OF FRITCH**

**CERTIFICATE OF SERVICE**

I certify that I have served a copy of *the City of Fritch's First Set of Requests for Information to the Commission Staff* upon all known parties of record by fax and/or first class mail on this the 15th day of July 2016.

*Brennan Foley by permission*  
Brennan Foley *M. W. D.*

### Instructions & Definitions

1. A reference to "Commission," "Staff" or "Commission Staff" shall mean Public Utility Commission of Texas.
2. A reference to "City" or "Fritch" shall mean the City of Fritch.
3. Reference to "you" or "your" means all divisions, departments, bureaus, or agencies of the party served, and all witnesses whose testimony the respective party to which this Request is submitted intends to present to the Public Utility Commission of Texas, and all persons acting or purporting to act for or on behalf of the respective party, including all staff, employees, agents, representatives, attorneys, consultants, economists, engineers, and accountants.
4. The term "information" includes all documents and communications.
5. The terms "and" and "or" shall be construed both disjunctively and conjunctively as necessary to make the requests inclusive rather than exclusive.
6. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."
7. "Document" or "documents" is intended to be comprehensive and shall mean every original (or an identical copy if the original is unavailable) and every copy which differs in any way from the original of every writing, recording (e.g., photograph, videotape, audiotape), or other tangible expression, whether handwritten, typed, drawn, sketched, printed, or recorded by any physical, mechanical, electronic, or electrical means whatsoever, and shall be construed to the fullest extent of the P.U.C. Procedural Rules and the Texas Rules of Civil Procedure, and shall include, without limitation all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, financial statements, work sheets, workpapers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants' reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing) and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, electronically-stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made.

8. "Person" means any natural person, firm, association, partnership, joint venture, corporation, estate, trust, receiver, syndicate, municipal corporation, government agency, any other form of legal entity, and other group or combination acting as a unit.
9. "Relating to" a subject means making a statement about, mentioning, referring to, discussing, describing, reflecting, identifying, dealing with, consisting of, constituting or in any way pertaining, in whole or in part, to the subject.
10. The words "communication" or "communications" include any written, electronic, or verbal conversations or any other statement from one person to another, including but not limited to, any interview, conference, conversation, discussion, meeting or telephone conversation.
11. "Identify" means:
  - a. as to a "person," stating his, her or its:
    - (i) legal, full and customarily used names;
    - (ii) present residential or business address;
    - (iii) job title; and
    - (iv) name of employer.
  - b. as to a document, act, event, transaction or occurrence, stating:
    - (i) its date, authors or participants;
    - (ii) the place where it took place, was created or occurred;
    - (iii) its purpose and subject matter; and
    - (iv) a concise description of what transpired.
12. "Including" means and refers to "including but not limited to."
13. Use of the singular or plural word form in a request is not to be interpreted to exclude information or documents from the scope or intent of the specific request.
14. For each response, please restate the RFI and identify the individual(s) responsible for preparing and sponsoring the response by name and title.
15. For each document produced that is generated by computer, please identify:
  - a. the nature and source of the data constituting the input;
  - b. the form of the input (*e.g.*, tapes, punch cards);
  - c. the recording system employed (*e.g.*, program, flow charts); and

- d. the person(s) responsible for processing the input and/or performing the programming.
16. If the information requested was included in previously furnished exhibits, schedules, work papers, responses to other discovery inquiries, or otherwise, in hard copy or electronic format, please furnish specific references to the previously furnished materials, including Bates Stamp page citations and detailed cross-references.
17. If, in answering any of these requests, there is any ambiguity in interpreting either the request or a definition or instruction applied thereto, please contact the City of Fritch's attorney, Brennan Foley, at (512) 474-1492.
18. If an RFI calls for production of a document that was, but is no longer, in your possession, or subject to your control, or in existence, state whether it:
- a. is missing or lost;
  - b. has been destroyed;
  - c. has been transferred, voluntarily or involuntarily to others; or
  - d. has been otherwise disposed of; and in each instance, explain the facts concerning how the document became unavailable; state the date or approximate date of the unavailability; the contents of the document; and the person who authorized the transfer, destruction or other disposition of said document. Documents prepared prior to, but which relate to or refer to, the time period covered by these RFIs are to be identified.

**SOAH DOCKET NO. 473-16-2099.WS  
PUC DOCKET NO. 45248**

<b>RATEPAYERS' APPEAL OF THE DECISION BY THE CITY OF FRITCH TO CHANGE RATES</b>	§ § §	<b>BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS</b>
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**THE CITY OF FRITCH'S FIRST SET OF REQUESTS FOR INFORMATION  
TO COMMISSION STAFF**

- 1-1 For each witness presenting testimony for Commission Staff, to the extent not provided with his or her pre-filed testimony in this proceeding, please provide: copies of all documents (including, but not limited to, all tangible reports, physical models, and compilations of data) provided to, reviewed by, or prepared by or for the witness in this docket. To the extent that documents are available electronically, please provide a copy in native electronic format with all cells and formulae intact. You may identify, in lieu of production, any document responsive to this request that was included in City of Fritch's rate-filing package or City-sponsored discovery response.
  
- 1-2. For any consulting expert whose mental impressions or opinions have been reviewed by a testifying expert for Commission Staff, please provide:
  - a. name and business address;
  - b. the facts known by the consulting expert in connection with this docket;
  - c. the mental impressions and opinions formed by the consulting expert;
  - d. the methods by which the mental impressions and opinions were formed;
  - e. the consulting expert's current resume and bibliography; and
  - f. copies of all documents (including, but not limited to, all tangible reports, physical models, and compilations of data) provided to, reviewed by, or prepared by the consulting expert on behalf of Commission Staff. To the extent that documents are available electronically, please provide a copy in native electronic format with all cells and formulae intact. You may identify, in lieu of production, any document responsive to this request that was included in City of Fritch's rate-filing package or City-sponsored discovery response.
  
- 1-3. To the extent not otherwise provided, please provide all workpapers prepared or reviewed by each of your witnesses in this proceeding, including but not limited to (1) a list of each RFI response directly relied upon; (2) books, treatises or other publications; (3) and all calculations in sufficient detail to permit the City the opportunity to replicate the recommendations. To the extent that documents are available electronically, please provide a copy in native electronic format with all cells and formulae intact. You may

identify, in lieu of production, any document responsive to this request that was included in City of Fritch's rate-filing package or City-sponsored discovery response.

- 1-4. For each witness offering testimony on behalf of Commission Staff in this docket, please identify and provide:
- a. the identity of each publication or speech published or given by such person within the immediately preceding five years with the dates and places given and published;
  - b. an index of all proceedings in which such person testified or has been deposed in the preceding seven years, including the docket or cause number, date, subject matter, whether the witness's deposition was taken as part of the proceeding, whether the proceeding involved the presentation of written and/or live testimony, whether the testimony is publicly available, and where the testimony is publicly available. If the testimony is not publicly available, please provide of copy of the testimony; and
  - c. any testimony or written statement submitted in the preceding seven years wherein the witness took a position inconsistent with his or her position in this docket.