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APPLICATION OF THE CITY OF
CIBOLO FOR SINGLE
CERTIFICATION IN
INCORPORATED AREA AND TO
DECERTIFY PORTIONS OF GREEN
VALLEY SPECIAL UTILITY
DISTRICT'S SEWER CERTIFICATE
OF CONVENIENCE AND
NECESSITY IN GUADALUPE
COUNTY

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PUBLIC UTILITY COMMISSION

OF TEXAS

**CITY OF CIBOLO'S FIRST REQUESTS FOR ADMISSION AND REQUESTS FOR
INFORMATION TO GREEN VALLEY SPECIAL UTILITY DISTRICT**

Pursuant to 16 Tex. Admin. Code ("TAC") § 22.144, comes now the City of Cibolo (the "City"), by and through its undersigned attorneys of records, and files its First Requests for Admission and Requests for Information ("RFI") to Green Valley Special Utility District ("GVSUD" or "District").

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &
TOWNSEND, P.C.**

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ATTORNEYS FOR CITY OF CIBOLO

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, hand-delivery and/or regular, first class mail on this 31st day of May, 2016 to the parties of record.


Christie L. Dickenson

INSTRUCTIONS

The following paragraphs include instructions and definitions that apply to the requests for information that are contained in this discovery request. Unless otherwise clearly indicated within the context of a specific interrogatory herein, the definition of each term provided below applies whether the term is used or defined in the singular or plural.

You are directed to answer the following written questions fully and in writing, based on all information reasonably available to you or your attorney at the time your response is made.

In those instances when you choose to answer an RFI propounded herein by referring to a specific document or record, you are instructed to specify the same in sufficient detail to permit the City of Cibolo to locate and identify the records or documents from which the answer is to be ascertained as readily as could you.

You are under a continuing duty to supplement your answers to these RFIs if you discover that they were incomplete or incorrect when made, or if you discover that they are no longer complete and correct. Supplementation must be made reasonably promptly after you discover the need for supplementation.

DEFINITIONS

1. **“You” and “Your”** refers to Green Valley Special Utility District named as a Party in PUC Docket No. 45702.
2. **“Green Valley Special Utility District” or “GVSUD”** refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of GVSUD.
3. **“City” or “Cibolo”** refers to the City of Cibolo, Texas; its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of the Cibolo.
4. The term **“Commission” or “PUC”** refers to the Public Utility Commission of Texas, an administrative agency of the State of Texas, and its Staff and Commissioners, natural persons employed by and working for the agency.
5. The term **“Staff”** as used herein refers to the natural persons employed by and working for the Public Utility Commission in any capacity.
6. The term **“TCEQ”** as used herein refers to the Texas Commission on Environmental Quality, an administrative agency of the State of Texas, and its staff and commissioners, natural persons employed by and working for the agency.

7. The term “**Application**” as used herein refers to the City’s Application to Obtain or Amend a Certificate of Convenience and Necessity Under Water Code Section 13.255 filed with the Commission on March 8, 2016.
8. The term “**CCN**” as used herein refers to a certificate of public convenience and necessity to provide retail water or sewer service issued by the Commission or a predecessor agency.
9. “**Document**” and “**Documents**” are used herein in their broadcast sense as set forth in Tex. R. Civ. P. 192.3(b), and specifically include electronic information or magnetic data as described in Rule 196.4. These words mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms “Document” and “Documents” shall include all agreements, contracts, Communications, correspondence, letters, opinion letters, telegrams, telexes, telefaxes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations or interviews, minutes, summaries, or other records of meetings and conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, progress reports, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, charts, tables, accounts, analytical records, consultants’ and experts’ reports, appraisals, bulletins, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfiche, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs and data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer stored, magnetically-stored, optically-stored, or electronically stored matter and Electronic Information, however produced, prepared, reproduced, disseminated, made or stored in any data source. The words “Document” and “Documents” also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that do not contain any markings, additions, or deletions that are different from the original do not have to be separately produced.
10. The term “**communication**” includes, without limitation of its generality, statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by any media such as intercoms, telephones, television, radio, or computer including electronic information.
11. The term “**electronic information**” includes, without limitation, the following: databases, data files, program files (e.g. .DOC, .DOCX, .TXT, .XLS, .WPD files), image files (e.g. .JPEG, .TIFF, .PDF files), email messages and files, voice mail messages and files, instant messaging messages, text messages, temporary files, system-history files, deleted files or

emails, back up files and archival files, website files, website information stored in textual, graphical or audio format, cache files, and cookies.

12. The term **“data sources”** includes, without limitation, mainframe computers, network servers, internet (“web”) servers, computers (including desktop, laptop and handheld computers), hard drives (including portable or temporary hard drives), flash drives (including thumb drives, secure digital cards or other flash memory devices), email servers, handheld devices like personal digital assistants and cell phones or smart phones (e.g. iPhones, BlackBerrys).
13. The terms **“relate”** or **“relating”** or **“regarding”** to any given subject, when used to specify a document, communication, statement, or correspondence mean any document, communication, statement or correspondence that constitutes, contains, evidences, embodies, reflects, identifies, states, discusses, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
14. The term **“identify,” when used in reference to a natural person** means to provide his or her (1) full name and (2) present or last known position or business affiliation, job title, employment address, and telephone number (designating which).

**CITY OF CIBOLO'S FIRST REQUESTS FOR ADMISSION TO
GREEN VALLEY SPECIAL UTILITY DISTRICT**

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|----------------|--|
| Cibolo RFA 1-1 | Admit that on March 8, 2016, GVSUD had no existing retail sewer customers within the boundaries of its sewer CCN No 20973. |
| Cibolo RFA 1-2 | Admit that on March 8, 2016, GVSUD had no existing sewer infrastructure within the boundaries of its sewer CCN No. 20973. |
| Cibolo RFA 1-3 | Admit that on March 8, 2016, GVSUD had no existing retail sewer customers within the area colored in light blue in Attachment A to the City's Application, which is attached hereto as Attachment 1. |
| Cibolo RFA 1-4 | Admit that on March 8, 2016, GVSUD had no existing sewer infrastructure within the area colored in light blue in Attachment 1. |
| Cibolo RFA 1-5 | Admit that on March 8, 2016, GVSUD had not entered into any agreements regarding the design or construction of sewer infrastructure within the boundaries of its sewer CCN No. 20973. |
| Cibolo RFA 1-6 | Admit that on March 8, 2016, GVSUD did not have any existing loans or other debt obligations relating to the design and construction of sewer infrastructure. |
| Cibolo RFA 1-7 | Admit that between August 18, 2015 and May 30, 2016, GVSUD did not receive any requests for retail sewer service from landowners within the area colored in light blue in Attachment 1. |
| Cibolo RFA 1-8 | Admit that on March 8, 2016, GVSUD had no contractual obligations to provide retail sewer service to landowners within the area colored in light blue in Attachment 1. |

**CITY OF CIBOLO'S FIRST REQUESTS FOR INFORMATION TO
GREEN VALLEY SPECIAL UTILITY DISTRICT**

Cibolo RFI 1-1 If any of GVSUD's property may be rendered useless or valueless by single sewer certification as requested by the City, please identify such property.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-2 Please provide GVSUD's most recent planning, engineering, or other reports that describe GVSUD's current sewer system and any proposed changes.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-3 Please provide a map of GVSUD's sewer system indicating the parts of the system within the area colored in light blue in Attachment 1.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-4 Please provide the total gallons of raw wastewater treated by GVSUD, by month, for the full calendar years of 2014 and 2015, and for the partial calendar year of January-April, 2016.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-5 Please provide the total gallons treated by GVSUD, by month, for retail sewer customers within the area colored in light blue in Attachment 1 for the full calendar years of 2014 and 2015, and for the partial calendar year of January-April, 2016.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-6 Please provide GVSUD's total number of retail sewer customers, by month, for calendar years 2014 and 2015, and for calendar year 2016 to date.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-7 Please provide GVSUD's total number of retail sewer customers, by month, for the past two years for the retail sewer customers within the area colored in light blue in Attachment 1, including their locations on GVSUD's system.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-8 Please provide a copy of GVSUD's current retail sewer rates.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-9 Please provide a list of all loans currently outstanding associated with GVSUD's wastewater facilities, including terms, annual principal and interest payments, etc. Please provide copies of all loan documents supporting such loans.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-10 Please provide a detailed asset listing of GVSUD's sewer facilities within the area colored in light blue in Attachment 1, as well as the assets that support the identified wastewater facilities (including lift stations, interceptors, etc.), that includes:

- A description and the location of facilities on GVSUD's system
- Original or purchase cost
- Capacity
- Date placed in service
- To the extent known, the financing vehicles used to purchase the wastewater facilities

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-11 Please provide copies of any wholesale wastewater treatment agreements that GVSUD is a party to that are currently in effect, including amendments.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-12 Please provide a copy of GVSUD's CCN maps as filed with the PUC (or TCEQ or other predecessor agency).

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-13 Please provide a complete and full description of GVSUD's existing wastewater treatment facilities.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-14 Please provide a copy of any existing operation and maintenance contracts for GVSUD's sewer facilities.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-15 Please provide a copy of GVSUD's most recent sewer cost of service and rate design study.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-16 Please provide a copy of GVSUD's current wastewater or sewer system master plan and/or capital improvement plan.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-17 Please provide a copy of GVSUD's 2014 and 2015 audited financials. If audited financials are not available, please provide internal financials.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-18 Please provide a copy of GVSUD's approved budget for its current and previous fiscal year.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-19 Please provide GVSUD's budget vs. actual, by line-item, for its prior fiscal year.

Prepared by: _____; Sponsoring Witness: _____

- Cibolo RFI 1-20 Please provide copies of any correspondence related to GVSUD's sewer system within the last two years between GVSUD and the following entities:
- Texas Commission on Environmental Quality
 - Public Utility Commission of Texas
 - Texas Water Development Board
 - United States Environmental Protection Agency
 - United States Department of Agriculture
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 1-21 Please provide an estimate of GVSUD's reasonable attorney's fees and consultant fees related to this docket.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 1-22 Please provide a copy of any wastewater permits or authorizations issued by the TCEQ to GVSUD pertaining to the provision of wastewater service.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 1-23 If your answer to Cibolo RFA 1-1 is "deny," please provide any documentation in your possession that provides a basis for your answer.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 1-24 If your answer to Cibolo RFA 1-2 is "deny," please provide any documentation in your possession that provides a basis for your answer.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 1-25 If your answer to Cibolo RFA 1-3 is "deny," please provide any documentation in your possession that provides a basis for your answer.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 1-26 If your answer to Cibolo RFA 1-4 is "deny," please provide any documentation in your possession that provides a basis for your answer.
- Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-27 If your answer to Cibolo RFA 1-5 is "deny," please provide any documentation in your possession that provides a basis for your answer.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-28 If your answer to Cibolo RFA 1-6 is "deny," please provide any documentation in your possession that provides a basis for your answer.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-29 If your answer to Cibolo RFA 1-7 is "deny," please provide any documentation in your possession that provides a basis for your answer.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 1-30 If your answer to Cibolo RFA 1-8 is "deny," please provide any documentation in your possession that provides a basis for your answer.

Prepared by: _____; Sponsoring Witness: _____

ATTACHMENT 1
Attachment A to City of Cibolo's Application

COPY

