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PUBLIC UTILITY COMMISSION
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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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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**CITY OF CIBOLO'S FOURTH 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 Second Requests for Information ("RFI") to Green Valley Special Utility District ("GVSUD" or "District").

Respectfully submitted,

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TOWNSEND, P.C.**

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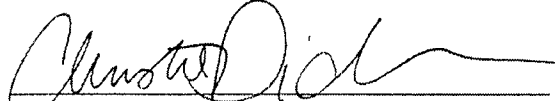
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ATTORNEYS FOR CITY OF CIBOLO

82

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 8th day of November, 2016 to the parties of record.


Christie 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 request 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 a Request for Information ("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, styled as PUC Docket No. 45702.
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).
 15. The term **"TPDES Permit,"** means a Texas Pollutant Discharge Elimination System Permit.
 16. The term **"GVSUD's TPDES Permit Application"**, means GVSUD's application for a TPDES Permit, currently pending at the TCEQ, styled as Application for TPDES Permit No. WQ0015360001.

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

Cibolo RFI 4-1 Please identify the specific portion(s) of GVSUD's 2006 Wastewater Master Plan that you contend would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment A to the City's Application, which is attached hereto as Attachment 1.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-2 Please explain the basis for your answer to Cibolo RFI 4-1.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-3 Please identify the specific portion(s) of GVSUD's TPDES Permit Application currently pending at the TCEQ that you contend would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-4 Please explain the basis for your answer to Cibolo RFI 4-3.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-5 Please identify the specific portion(s) of GVSUD's 2014 Water Master Plan that you contend would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-6 Please explain the basis for your answer to Cibolo RFI 4-5.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-7 Please identify the specific portion(s) of GVSUD's IH 10 Industrial Park Water Service Feasibility Study that you contend would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-8

Please explain the basis for your answer to Cibolo RFI 4-7.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-9

Please identify the specific portion(s) of the Woods of St. Claire Subdivision Water Feasibility Study that you contend would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-10

Please explain the basis for your answer to Cibolo RFI 4-9.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-11

Please identify any other specific items you contend are property interests related to GVSUD's wastewater system planning and design activities that would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-12

For any item identified in Cibolo RFI 4-11, please identify the specific portions of that item that you contend would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-13

Please identify the specific "lost revenues" you contend would be rendered useless or valueless by decertification of the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

- Cibolo RFI 4-14 Please identify all specific items you would characterize as “investments” in a future GVSUD wastewater system.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 4-15 Please explain how or if GVSUD’s water planning documents identified in previous GVSUD RFI Responses (GVSUD’s 2014 Water Master Plan; IH 10 Industrial Park Water Service Feasibility Study; Woods of St. Claire Subdivision Water Feasibility Study) relate to planning a GVSUD wastewater system beyond the population projections discussed in those documents.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 4-16 In your response to Cibolo 2-28, you identify GVSUD’s Water Revenue Bonds, Series 2014 as relating to the design and construction of sewer infrastructure. Please provide an explanation for that answer in light of GVSUD’s response to Cibolo RFI 2-13.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 4-17 Do you contend that it is appropriate for wastewater customers to pay for debt assumed to construct water system facilities?
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 4-18 Please specifically identify and describe documents and other data relating to market research performed by Korman Realty Consultants, LLC for purposes of GVSUD’s Appraisal and the source of such documents and data.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 4-19 For any item identified in Cibolo RFI 4-18, please identify and describe the specific portions of GVSUD’s Appraisal derived from such documents or data.
- Prepared by: _____; Sponsoring Witness: _____
- Cibolo RFI 4-20 Please identify and describe growth projections pertaining specifically to the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-21 Does GVSUD intend to develop a new wastewater master plan or to update the existing 2006 Wastewater Master Plan? If yes, please explain when.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-22 If GVSUD's TPDES Permit Application, as initially filed at the TCEQ, is approved by the TCEQ and infrastructure is constructed such that GVSUD can provide wastewater service, do you contend GVSUD can compel potential customers within its CCN service area to utilize GVSUD's wastewater service?

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-23 Please identify and describe all issues with septic systems within GVSUD's CCN service area, including failures, improperly maintained systems, and systems contributing to contamination of surface and groundwater or otherwise causing public health issues, of which GVSUD is aware.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-24 Do you contend that the PUC must process and evaluate whether property is rendered useless and valueless by decertification in the precise manner as TCEQ previously processed and evaluated such matters?

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-25 Please identify and describe any wastewater impact fee studies that GVSUD has performed that includes the service area colored in light blue in Attachment 1 to these Requests.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-26 Refer to page 10, line 20 through page 11, line 7 in the direct testimony of David "Pat" Allen ("Mr. Allen's Direct"). Please provide documentation identifying:

- (a) growth in GVSUD's wastewater customer base;
- (b) growth in wastewater usage within GVSUD's service area;
- (c) that portion of the 11,000 customer connections attributable to wastewater service;

- (d) that portion of the 33,000 individuals who are wastewater customers; and
- (e) the nature of GVSUD's wastewater customers (i.e. residential, light commercial, industrial, or other).

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-27 Refer to page 11, line 25 through page 12, line in Mr. Allen's Direct. Please provide documentation identifying:

- (a) the referenced wastewater customers/constituents;
- (b) specific "investments" that will be rendered useless or valueless by decertification;
- (c) the referenced "remaining customers"; and
- (d) the increased costs for "remaining customers".

Prepared by: _____; Sponsoring Witness: _____

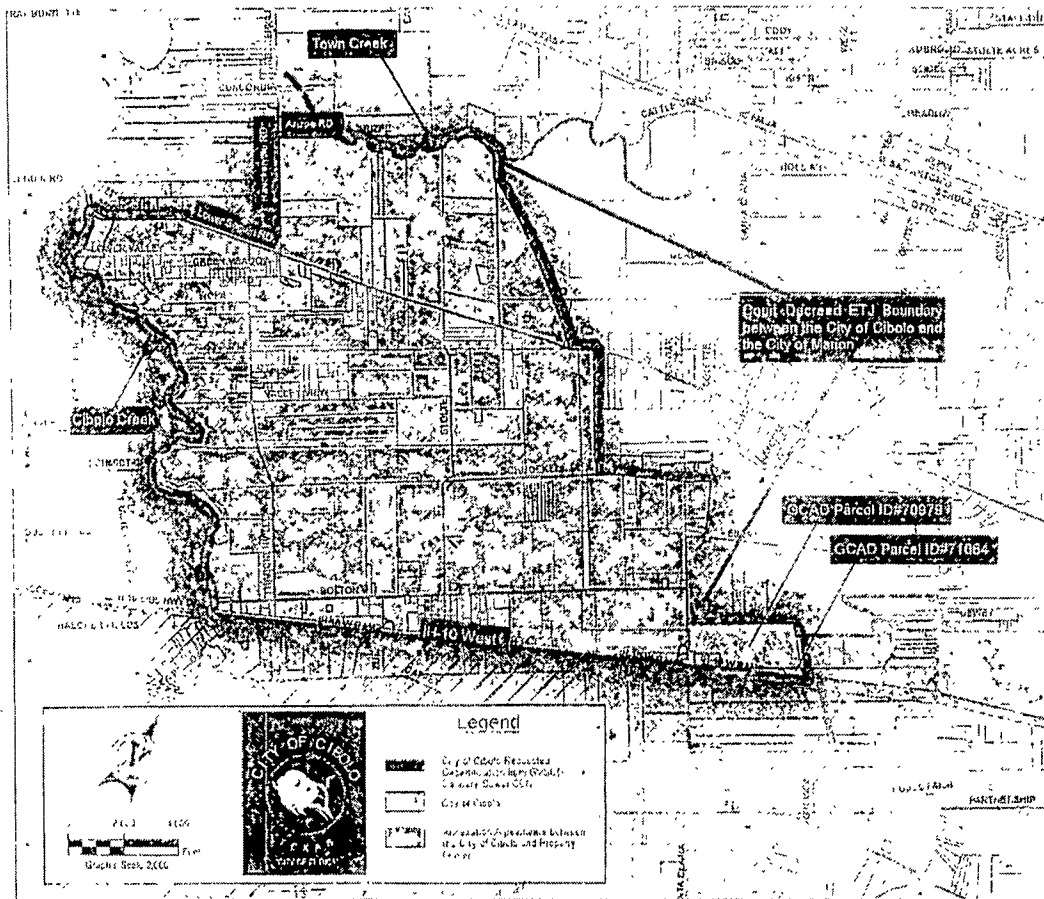
Cibolo RFI 4-28 Refer to page 23, lines 10-11 in Mr. Allen's Direct. Please provide documentation identifying the referenced "current and future customers" to be provided with wastewater service.

Prepared by: _____; Sponsoring Witness: _____

Cibolo RFI 4-29 Refer to page 12, line 17 through page 13, line 1 in Mr. Allen's Direct. Please provide documentation identifying:

- (a) GVSUD's "rapidly-growing base" of water customers;
- (b) GVSUD's "rapidly-growing base" of wastewater customers; and
- (c) the referenced "current and future customers".

Prepared by: _____; Sponsoring Witness: _____



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