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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 FIFTH 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 Fifth 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

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**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 2nd day of December, 2016 to the parties of record.

  
\_\_\_\_\_  
David J. Klein

## 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 FIFTH REQUESTS FOR INFORMATION TO  
GREEN VALLEY SPECIAL UTILITY DISTRICT**

Cibolo RFI 5-1      Please produce all correspondence between (i) GVSUD, GVSUD's consultants and/or GVSUD's contractors, and (ii) the Texas Commission on Environmental Quality regarding regionalization of wastewater facilities or services, between April 1, 2012 and December 1, 2016.

Prepared by: \_\_\_\_\_; Sponsoring Witness: \_\_\_\_\_

Cibolo RFI 5-2      Please produce all correspondence between (i) GVSUD and (ii) GVSUD's consultants and/or contractors regarding regionalization of wastewater facilities or services, between April 1, 2012 and December 1, 2016.

Prepared by: \_\_\_\_\_; Sponsoring Witness: \_\_\_\_\_

Cibolo RFI 5-3      Please explain why the documents bates stamped GVSUD 001982-2199 were not provided with GVSUD's Response to the City's 1<sup>st</sup> RFI.

Prepared by: \_\_\_\_\_; Sponsoring Witness: \_\_\_\_\_

Cibolo RFI 5-4      As of March 8, 2016, has the Board of Directors of GVSUD adopted a wastewater or sewer impact fee?

Prepared by: \_\_\_\_\_; Sponsoring Witness: \_\_\_\_\_

Cibolo RFI 5-5      As of March 8, 2016, has GVSUD filed any applications at the Texas Commission on Environmental Quality to assess, charge, or collect a wastewater or sewer impact fee? If so, were any of those applications approved by the Texas Commission on Environmental Quality?

Prepared by: \_\_\_\_\_; Sponsoring Witness: \_\_\_\_\_