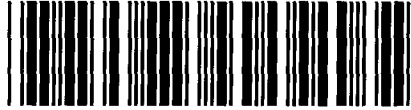


Control Number 45848



Item Number 26

Addendum StartPage 0

**SOAH DOCKET NO. 473-16-5011.WS  
PUC DOCKET NO. 45848**

RECEIVED

**CITY OF CELINA'S NOTICE OF §  
INTENT TO PROVIDE WATER AND §  
SEWER SERVICE TO AREA §  
DECERTIFIED FROM AQUA TEXAS, §  
INC. IN DENTON COUNTY §**

**BEFORE THE STATE OFFICE  
OFFICE OF THE FILING CLERK  
ADMINISTRATIVE HEARINGS**

2016 AUG 24 PM 2:14  
OFFICE OF THE FILING CLERK

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION  
TO AQUA TEXAS, INC.  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-8**

Pursuant to Tex. Admin Code § 22.144 (TAC), the Staff of the Public Utility Commission of Texas (Staff) requests that Aqua Texas, Inc. by and through its attorney of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) 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. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 7871-3326.

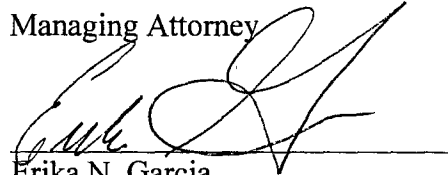
Dated: August 24, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney

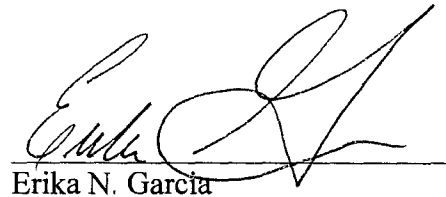
A handwritten signature in black ink, appearing to be 'E. Garcia', written over a horizontal line.

Erika N. Garcia  
State Bar No. 24092077  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7290  
(512) 936-7268 (facsimile)

**SOAH DOCKET NO. 473-16-5011.WS  
PUC DOCKET NO. 45848**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on August 24, 2016, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to be 'E. Garcia', written over a horizontal line.  
Erika N. Garcia

**SOAH DOCKET NO. 473-16-5011.WS  
PUC DOCKET NO. 45848**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION  
TO AQUA TEXAS, INC.  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-8**

**DEFINITIONS**

- A. 'Aqua' 'the Company' or 'You' refers to Aqua Texas, Inc. and any person acting or purporting to act on its behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
  
- B. 'Document' includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of 'documents' shall include the documents which do not exist and these documents will be provided.

**SOAH DOCKET NO. 473-16-5011.WS**  
**PUC DOCKET NO. 45848**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION  
TO AQUA TEXAS, INC.  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-8**

**INSTRUCTIONS**

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) 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.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

**SOAH DOCKET NO. 473-16-5011.WS**  
**PUC DOCKET NO. 45848**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION  
TO AQUA TEXAS, INC.  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-8**

- STAFF 1-1** Please reference Page 7. Lines 16-17 of the Direct Testimony of Darryl G. Waldock.
- a) Please describe what property is included in the designation 'Prosper Point.
  - b) Is 'Prosper Point' used to refer to more land in Aqua's north Texas Region than just the 128-acre property at issue in this matter?
- STAFF 1-2** Please reference Page 8, Line 21 through Page 9, Line 1 of the Direct Testimony of Darryl G. Waldock: Aqua also negotiated with various Property owners related to other aspects of water supply development and wastewater treatment/collection system for the Property.
- a) Please provide any other correspondence or other documentation, if any, from previous developers and/or property owners related to these negotiations.
- STAFF 1-3** Please reference Attachment AT-1 to the Direct Testimony of Darryl G. Waldock, Exhibit 3, Page Aqua 000126, Paragraph 5 'Legal Agreements.
- a) Did counsel for Aqua and Denton County 128 Development, LLC, respectively, execute an agreement within 60 days of acceptance of the letter? If yes, please provide a copy of that agreement. If no, why not?
  - b) Did Aqua and Denton County 128 Development, LLC take any further steps after acceptance of the letter to facilitate the provision of service to the property?
- STAFF 1-4** Please provide a timeline of the relationship between Aqua and Denton County 128 Development, LLC. Along with all other relevant dates, please include the date on which communications began between the parties regarding the provision of water and wastewater service to the property, and the date on which Denton County 128 Development, LLC sold the property.
- STAFF 1-5** Please reference Attachment AT-1, Pages 5-6, relating to the Prosper Point wastewater permit (TPDES Permit No. WQ0014234001).
- a) Please provide supporting documentation for the approximately \$15,000 Aqua states is attributable to the original cost to obtain the permit.
  - b) Please provide supporting documentation for the \$12,000 Aqua states is attributable to the three renewals of the permit.
- STAFF 1-6** Please reference Attachment AT-1 at Page Aqua 000170 (2007 renewal); Attachment AT-1 at Page Aqua 000260 (2012 renewal); Attachment AT-5 (notice that renewal in 2016 would not be sought).

- a) Based on the above referenced attachments, the Prosper Point wastewater permit was issued January 9, 2003, renewed May 21, 2007, renewed again on January 31, 2012, and set to expire on October 1, 2016. Please reconcile with Page 10, Line 1-2 of the Direct Testimony of Darryl G. Waldock stating that 'the Prosper Point wastewater permit required a TCEQ renewal application every five years.
- b) Based on the above referenced attachments, and Attachment AT-1 at Page Aqua 000472, the Prosper Point wastewater permit was renewed twice, once in 2007 and once in 2012. Please reconcile to Attachment AT-1 at Page 6, which seeks compensation for three permit renewals.

**STAFF 1-7** Please reference Attachment AT-1, Page Aqua 000241-246. Do permit costs referenced in Staff 1-5 include the cost of leasing the site of the proposed wastewater treatment plant site?

**STAFF 1-8** Does the Prosper Point wastewater permit and the proposed wastewater treatment plant have the capacity to serve more area than just the 128-acre Property at issue in this proceeding?

- a) If yes, then how much of the surrounding area beyond the 128-acre property, currently in Aqua's CCN area, does the Prosper Point wastewater permit cover and could the proposed wastewater treatment plant serve?