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BEFORE THE STATE OFFICE OF
PUBLIC UTILITY COMMISSION
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FORMAL COMPLAINT OF §
ADC WEST RIDGE L.P. AND §
CENTER FOR HOUSING RESOURCES, §
INC. AGAINST THE CITY OF FRISCO §

BEFORE THE STATE OFFICE OF
PUBLIC UTILITY COMMISSION
FILING CLERK
ADMINISTRATIVE HEARINGS

**CITY OF FRISCO'S RESPONSES TO COMMISSION STAFF'S THIRD SET OF
REQUESTS FOR INFORMATION**

The City of Frisco ("City" or "Frisco") and files these Responses to the Third Set of Requests for Information ("RFI") of Commission Staff of the Public Utility Commission of Texas ("Staff"). The City agrees that the responses may be treated as if the answers were filed under oath.

Respectfully submitted,

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(214) 544-4040 (Fax)

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
State Bar No. 00791551

ATTORNEYS FOR THE CITY OF FRISCO

132

**SOAH DOCKET NO. 473-16-4619.WS
PUC DOCKET NO. 45870**

FORMAL COMPLAINT OF	§	BEFORE THE STATE OFFICE OF
ADC WEST RIDGE L.P. AND	§	
CENTER FOR HOUSING RESOURCES,	§	
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**CITY OF FRISCO’S RESPONSES TO COMMISSION STAFF’S THIRD SET OF
REQUESTS FOR INFORMATION**

Staff RFI No. 3-1: Produce Documents or Bates page referenced to Documents already produced that show the City of Frisco complied with 16 Tex. Admin. Code § 24.85(a) regarding the Complainants’ request for service to Lot 2.

RESPONSE: The City believes that 16 Tex. Admin. Code § 24.85(a) is an impermissible expansion of the PUC’s jurisdiction over CCN holders by attempting to extend protection to qualified service applicants. The decision of whether a person or entity is a qualified applicant is determined by a city that is also a retail water provider. However, assuming that 16 Tex. Admin. Code § 24.85(a) is a permissible expansion of the PUC’s jurisdiction pursuant to Texas Water Code Chapter 13, the referenced section is only applicable to qualified service applicants. As demonstrated in response to Staff RFI No. 2-3, Complainants are not qualified service applicants. Thus, 16 Tex. Admin. Code § 24.85(a) is inapplicable to this proceeding.

Prepared/sponsored by: To be supplemented

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FORMAL COMPLAINT OF	§	BEFORE THE STATE OFFICE OF
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**CITY OF FRISCO’S RESPONSES TO COMMISSION STAFF’S THIRD SET OF
REQUESTS FOR INFORMATION**

Staff RFI No. 3-2: Refer to your response to Staff RFI No. 3-1. Provide an explanation and a reference to the Documents produced that show the City of Frisco complied with 16 Tex. Admin. Code § 24.85(a) regarding the Complainant’s request for service to Lot 2.

RESPONSE: The City believes that 16 Tex. Admin. Code § 24.85(a) is an impermissible expansion of the PUC’s jurisdiction over CCN holders by attempting to extend protection to qualified service applicants. The decision of whether a person or entity is a qualified applicant is determined by a city that is also a retail water provider. However, assuming that 16 Tex. Admin. Code § 24.85(a) is a permissible expansion of the PUC’s jurisdiction pursuant to Texas Water Code Chapter 13, the referenced section is only applicable to qualified service applicants. As demonstrated in response to Staff RFI No. 2-3, Complainants are not qualified service applicants. Thus, 16 Tex. Admin. Code § 24.85(a) is inapplicable to this proceeding.

Prepared/sponsored by: To be supplemented

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January, 2017, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel of record:

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/s/ Arturo D. Rodriguez, Jr.

ARTURO D. RODRIGUEZ, JR.