



Control Number: 45870



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

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PUBLIC UTILITY COMMISSION
FILING CLERK

COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS

**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

COMES NOW the City of Frisco ("City" or "Frisco") and files these Responses to the First Set of Requests for Information ("RFI") and Requests for Admission ("RFA") of Ker-Seva Ltd., ADC West Ridge, LP and Center for Housing Resources, Inc. ("Complainants") served on August 18, 2016.

Respectfully submitted,

Russell & Rodriguez, L.L.P.
1633 Williams Drive, Building 2, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

Abernathy Roeder Boyd & Hullett, P.C.

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

ATTORNEYS FOR THE CITY OF FRISCO

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Request for Information No. 22: Please produce a copy of a form of easement acceptable to Frisco which could be used by Complainants to obtain an easement for water and sewer utilities to serve Lot 2.

Response: The City of Frisco does not prescribe a form of easement.

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Request for Information No. 23: Please produce all ordinances, tariffs, schedules of rates, and/or service policies and regulations which Frisco contends apply to extensions of water and/or sewer service within Frisco’s water CCN No. 11772 and sewer CCN No. 20591, outside of Frisco’s corporate limits and within Frisco’s extraterritorial jurisdiction.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 24: Please identify the specific provisions, paragraphs, or subsections of each document produced in response to Request for Information No. 1 which Frisco contends apply to extensions of water and/or sewer service within Frisco’s extraterritorial jurisdiction.

Response: This request has been withdrawn by the Complainants.

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Request for Information No. 25: Please provide in general the factual bases for Frisco’s contention that Ker-Seva, Ltd. is not a qualified service applicant for water or sewer service for Lot 2.

Response: Ker Seva, Ltd. is not a qualified service applicant for retail water or sewer service as Ker Seva, Ltd. did not comply with the City’s extension and connection regulations. The City indicated the same to Ker Seva, Ltd. in correspondence dated February 16, 2016. Said correspondence and produced in response to RFI No. 1.

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Request for Information No. 26: Please provide in general the factual bases for Frisco’s contention that ADC West Ridge, L.P. is not a qualified service applicant for water or sewer service for Lot 2.

Response: ADC West Ridge, L.P. is not a qualified service applicant for retail water or sewer service as ADC West Ridge, L.P. did not comply with the City’s extension and connection regulations. The City indicated the same to ADC West Ridge, L.P. in correspondence dated June 30, 2016. Said correspondence was produced in response to RFI No. 1.

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Request for Information No. 27: Please provide in general the factual bases for Frisco's contention that Center for Housing Resources, Inc. is not a qualified service applicant for water or sewer service for Lot 2.

Response: The City has not received a service application from the Center for Housing Resources, Inc.

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Request for Information No. 28: Please identify the specific provisions, paragraphs, or subsections of each document produced in response to Request for Information No. 1 which Frisco contends must be satisfied by Ker-Seva, Ltd. in order for Ker-Seva, Ltd. to become a qualified service applicant for retail water and/or sewer service to Lot 2.

Response: This request has been withdrawn by the Complainants.

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Request for Information No. 29: Please identify the specific provisions, paragraphs, or subsections of each document produced in response to Request for Information No. 1 which Frisco contends must be satisfied by ADC West Ridge, L.P. in order for ADC West Ridge, L.P. to become a qualified service applicant for retail water and/or sewer service to Lot 2.

Response: This request has been withdrawn by the Complainants.

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Request for Information No. 30: Please identify the specific provisions, paragraphs, or subsections of each document produced in response to Request for Information No. 1 which Frisco contends must be satisfied by Center for Housing Resources, Inc. in order for Center for Housing Resources, Inc. to become a qualified service applicant for retail water and/or sewer service to Lot 2.

Response: This request has been withdrawn by the Complainants.

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Request for Information No. 31: Please identify the rates or fees, if any, Frisco contends must be paid in order for Ker-Seva, Ltd. to become a qualified service applicant for retail water and/or sewer service.

Response: Frisco does not contend that solely the payment rates or fees could make an entity a qualified service applicant. However, see documents produced in response to RFI No. 24 for rates or fees to be paid by a service applicant.

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Request for Information No. 32: Please identify the rates or fees, if any, Frisco contends must be paid in order for ADC West Ridge, L.P. to become a qualified service applicant for retail water and/or sewer service.

Response: Frisco does not contend that solely the payment rates or fees could make an entity a qualified service applicant. However, see documents produced in response to RFI No. 24 for rates or fees to be paid by a service applicant.

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Request for Information No. 33: Please identify the rates or fees, if any, Frisco contends must be paid in order for Center for Housing Resources, Inc. to become a qualified service applicant for retail water and/or sewer service.

Response: Frisco does not contend that solely the payment rates or fees could make an entity a qualified service applicant. However, see documents produced in response to RFI No. 24 for rates or fees to be paid by a service applicant.

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Request for Information No. 34: Please identify the facilities, if any, Frisco contends are required so that Lot 2 can receive water service from Frisco.

Response: Frisco does not contend that certain facilities are required. The response depends on the submission of an application that meets the City’s service regulations.

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Request for Information No. 35: Please identify the facilities, if any, Frisco contends are required so that Lot 2 can receive sewer service from Frisco.

Response: Frisco does not contend that certain facilities are required. The response depends on the submission of an application that meets the City's service regulations.

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Request for Information No. 36: Please produce any ordinances, regulations, rules, or policies which Frisco contends prohibit Lot 2 from receiving water service from the pre-existing infrastructure adjacent to Lot 2 identified in Exhibit “A” hereto.

Response: The City cannot respond to the request as Exhibit “A” was not served on the City.

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Request for Information No. 37: Please produce any ordinances, regulations, rules, or policies which Frisco contends prohibit Lot 2 from receiving sewer service from the pre-existing infrastructure adjacent to Lot 2 identified in Exhibit “A” hereto.

Response: The City cannot respond to the request as Exhibit “A” was not served on the City.

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Request for Information No. 38: Please produce all documents supporting Frisco’s contention that Lot 2 cannot receive water and/or sewer service from the pre-existing infrastructure adjacent to Lot 2 identified in Exhibit “A” hereto.

Response: The City cannot respond to the request as Exhibit “A” was not served on the City.

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Request for Information No. 39: Please explain the general factual bases for Frisco’s contention that Lot 2 cannot receive water and/or sewer service from the pre-existing infrastructure adjacent to Lot 2 identified in Exhibit “A” hereto.

Response: The City cannot respond to the request as Exhibit “A” was not served on the City.

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Request for Information No. 40: Please produce all documents regarding the City of McKinney’s willingness, or lack thereof, to provide water and/or sewer service to Lot 2.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 41: Please produce all minutes of any meeting of the City Council of Frisco or any committee of Frisco regarding the Property, including Lot 1 and Lot 2.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 42: Please produce all documents relating to any request for a water meter by ADC West Ridge, L.P., Center for Housing Resources, Inc., KWA Construction, or Weir Brothers Contracting, LLC, for construction on Lot 2 since June 1, 2016.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 43: Please produce all documents relating to Frisco’s confiscation of any water meters from ADC West Ridge, L.P., Center for Housing Resources, Inc., KWA Construction, or Weir Brothers Contracting, LLC, for construction on Lot 2 since June 1, 2016.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 44: Please produce all communications between Frisco and the City of McKinney, Texas, regarding the provision of water service for construction on Lot 2 since June 1, 2016.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 45: Please produce all documents regarding the provision of water service for construction outside of Frisco's corporate boundaries but within Frisco's water CCN No. 11772 since January 1, 2015.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 46: Please produce all documents evidencing any communications between Frisco’s employees, officers, agents, or representatives regarding the decision to confiscate any water meters from ADC West Ridge, L.P., Center for Housing Resources, Inc., KWA Construction, or Weir Brothers Contracting, LLC, for construction on Lot 2 since June 1, 2016.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 47: Please produce all documents, including maps, identifying the nearest fire hydrant owned by Frisco from which water service for construction could be obtained for Lot 2.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 48: Please produce all documents relating to any requests for water service for construction within 2 miles of Lot 2 and within Frisco’s water CCN No. 20591 since January 1, 2015.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 49: Please explain the general factual bases for Frisco’s contention that Lot 1 is permitted to receive water and sewer service through the infrastructure adjacent to Lot 2 identified in Exhibit “A” hereto but Lot 2 is not permitted to receive water and sewer service through the infrastructure adjacent to Lot 2 identified in Exhibit “A” hereto.

Response: The City cannot respond to the request as Exhibit “A” was not served on the City.

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Request for Information No. 50: Please produce all documents relating to any approval by the Public Utility Commission of Texas or its predecessor agencies relating to the provision of water and/or sewer service by the City of McKinney within Frisco's water CCN No. 11772 or sewer CCN No. 20591 within a 2 mile radius of Lot 2.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 51: Please produce all documents relating to any agreement currently in effect between Frisco and any other person or entity which relates to the provision of water supply or water treatment by another person or entity to Frisco.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 52: Please produce all documents relating to any agreement currently in effect between Frisco and any other person or entity which relates to the provision of sewer treatment capacity by another person or entity to Frisco.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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Request for Information No. 53: Please produce all documents relating to any agreement currently in effect between Frisco and any other person or entity which relates to the provision or supply of raw water, treated water, or water treatment capacity by that other person or entity to Frisco.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
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Request for Information No. 54: Please produce Frisco’s current Capital Improvements Plan.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Information No. 55: Please produce Frisco’s current Comprehensive Plan.

Response: By agreement, the responsive documents, if any, will be produced at a later date.

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Information No. 56: Please produce all documents related to private easements dedicated to Frisco or public utility easements along the south side of Westridge Boulevard between Custer Road and Memory Lane.

Response: Such documents, if any, may be located or obtained from public records at the Collin County Real Property Records which are equally available to the Complainants.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Information No. 57: Please produce all documents related to private easements dedicated to Frisco or public utility easements along the west side of Custer Road between Plum Lane and Westridge Boulevard.

Response: Such documents, if any, may be located or obtained from public records at the Collin County Real Property Records which are equally available to the Complainants.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Information No. 58: Please produce all documents related to private easements dedicated to Frisco or public utility easements along the east side of Memory Lane between Harry Truman Street and Westridge Boulevard.

Response: Such documents, if any, may be located or obtained from public records at the Collin County Real Property Records which are equally available to the Complainants.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 8: Admit that Frisco is a “retail public utility” as that term is
defined in 16 Tex. Admin. Code Sec.24.3(58).

Response: Admit.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD.	§	BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO	§	ADMINISTRATIVE HEARINGS

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 9: Admit that Frisco owns the water and sewer infrastructure directly adjacent to the Property as depicted in the letter attached hereto as Exhibit “A.”

Response: Frisco can neither admit nor deny as Exhibit “A” referred to in the request was not provided to it.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 10: Admit that Lot 2 is not within the incorporated limits of Frisco.

Response: Admit.

Prepared/sponsored by: To be supplemented

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PUC DOCKET NO. 45870**

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 11: Admit that Lot 2 is within the extraterritorial jurisdiction of Frisco.

Response: Admit.

Prepared/sponsored by: To be supplemented

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PUC DOCKET NO. 45870**

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 12: Admit that Lot 2 is within water certificate of convenience and necessity No. 11772 issued to Frisco.

Response: Admit.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 13: Admit that Lot 2 is within sewer certificate of convenience and necessity No. 20591 issued to Frisco.

Response: Admit.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 14: Admit that Ker-Seva, Ltd. submitted an application for water service for Lot 2.

Response: Admit that Ker-Seva, Ltd. submitted a Commercial Water Application to the City of Frisco.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 15: Admit that Ker-Seva, Ltd. submitted an application for sewer service for Lot 2.

Response: Admit that Ker-Seva, Ltd. submitted a Commercial Water Application to the City of Frisco.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 16: Admit that ADC West Ridge, L.P. submitted an application for water service for Lot 2.

Response: Admit that ADC West Ridge, L.P. submitted a Commercial Water Application to the City of Frisco.

Prepared/sponsored by: To be supplemented

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PUC DOCKET NO. 45870**

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 17: Admit that ADC West Ridge, L.P. submitted an application for sewer service for Lot 2.

Response: Admit that ADC West Ridge, L.P. submitted a Commercial Water Application to the City of Frisco.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 18: Admit that Center for Housing Resources, Inc. submitted an application for water service for Lot 2.

Response: Deny.

Prepared/sponsored by: To be supplemented

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PUC DOCKET NO. 45870**

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 19: Admit that Center for Housing Resources, Inc. submitted an application for sewer service for Lot 2.

Response: Deny.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 20: Admit that Frisco denied Ker-Seva, Ltd. water service to
Lot 2.

Response: Deny. Ker Seva Ltd. did not qualify to be granted retail water service for Lot
2.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 21: Admit that Frisco denied Ker-Seva, Ltd. sewer service to
Lot 2.

Response: Deny. Ker Seva Ltd. did not qualify to be granted retail sewer service for Lot
2.

Prepared/sponsored by: To be supplemented

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

**COMPLAINT OF KER-SEVA LTD. § BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO § ADMINISTRATIVE HEARINGS**

**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 22: Admit that Frisco denied ADC West Ridge, L.P. water service to Lot 2.

Response: Deny. ADC West Ridge, L.P. did not qualify to be granted retail water service for Lot 2.

Prepared/sponsored by: To be supplemented

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PUC DOCKET NO. 45870**

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 23: Admit that Frisco denied ADC West Ridge, L.P. sewer service to Lot 2.

Response: Deny. ADC West Ridge, L.P. did not qualify to be granted retail sewer service for Lot 2.

Prepared/sponsored by: To be supplemented

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PUC DOCKET NO. 45870**

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 24: Admit that Frisco denied Center for Housing Resources, Inc. water service to Lot 2.

Response: Deny. Center for Housing Resources, Inc. has not applied for retail water service to Lot 2.

Prepared/sponsored by: To be supplemented

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PUC DOCKET NO. 45870**

COMPLAINT OF KER-SEVA LTD. AGAINST THE CITY OF FRISCO	§ §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 25: Admit that Frisco denied Center for Housing Resources, Inc. sewer service to Lot 2.

Response: Deny. Center for Housing Resources, Inc. has not applied for retail sewer service to Lot 2.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD.	§	BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO	§	ADMINISTRATIVE HEARINGS

**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 26: Admit that Frisco allows the City of McKinney, Texas, to provide water service to Lot 1.

Response: After a reasonable inquiry and based on the information known or easily obtainable by Frisco, Frisco cannot admit or deny.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD.	§	BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO	§	ADMINISTRATIVE HEARINGS

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 27: Admit that Frisco allows the City of McKinney, Texas, to provide sewer service to Lot 1.

Response: After a reasonable inquiry and based on the information known or easily obtainable by Frisco, Frisco cannot admit or deny.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD.	§	BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO	§	ADMINISTRATIVE HEARINGS

**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 28: Admit that Frisco entered into a Letter Agreement with the City of McKinney, Texas, to allow the City of McKinney, Texas, to provide water and sewer service to Lot 1.

Response: Admit that the City of Frisco and the City of McKinney entered into an Agreement that designated CCN service territory that was to be swapped by the cities. Said agreement was approved by the Texas Commission on Environmental Quality and produced in response to RFI No. 1.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD.	§	BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO	§	ADMINISTRATIVE HEARINGS

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 29: Admit that Frisco did not seek approval from the Public Utility Commission of Texas, or its predecessor agency, for McKinney to provide water and sewer service to Lot 1.

Response: Deny. The City of Frisco and the City of McKinney entered into an Agreement that designated CCN service territory that was to be swapped by the cities. Said agreement was approved by the Texas Commission on Environmental Quality and produced in response to RFI No. 1.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD.	§	BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO	§	ADMINISTRATIVE HEARINGS

**CITY OF FRISCO’S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.’S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 30: Admit that Frisco did not seek approval from the Public Utility Commission of Texas, or its predecessor agency, for the City of McKinney, Texas, to provide water or sewer service to any other customer along the south side of Westridge Boulevard between Memory Lane and Custer Road.

Response: Deny. The City of Frisco and the City of McKinney entered into an Agreement that designated CCN service territory that was to be swapped by the cities. Said agreement was approved by the Texas Commission on Environmental Quality and produced in response to RFI No. 1.

Prepared/sponsored by: To be supplemented

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

COMPLAINT OF KER-SEVA LTD.	§	BEFORE THE STATE OFFICE OF
AGAINST THE CITY OF FRISCO	§	ADMINISTRATIVE HEARINGS

**CITY OF FRISCO'S RESPONSES TO KER-SEVA, LTD., ADC WEST RIDGE, L.P., AND
CENTER FOR HOUSING RESOURCES, INC.'S SECOND SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

Request for Admission No. 31: Admit that Frisco did not seek approval from the Public Utility Commission of Texas, or its predecessor agency, for the City of McKinney, Texas, to provide water service to customers along Plum Lane.

Response: Deny. The City of Frisco and the City of McKinney entered into an Agreement that designated CCN service territory that was to be swapped by the cities. Said agreement was approved by the Texas Commission on Environmental Quality and produced in response to RFI No. 1.

Prepared/sponsored by: To be supplemented

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of September, 2016, 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:

Mr. Sam Chang
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, Texas
(512) 936-7261
(512) 936-7268 Fax

Mr. Leonard Dougal
Jackson Walker, LLP
100 Congress Avenue, Suite 1100
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/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.