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

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**COMPLAINT OF KER-SEVA LTD.
AGAINST THE CITY OF FRISCO**

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**BEFORE THE STATE OFFICE OF
ADMINISTRATIVE HEARINGS**

2016 OCT 23 PM 2:56
PUBLIC UTILITY COMMISSION
FILING CLERK

**OBJECTIONS OF THE CITY OF FRISCO TO KER-SEVA, LTD., ADC WEST RIDGE
VILLAS, L.P., AND CENTER FOR HOUSING RESOURCES, INC. THIRD SET OF
REQUESTS FOR INFORMATION AND REQUESTS FOR ADMISSION**

COMES NOW, the City of Frisco ("City" or "Frisco") and files these Objections to the Third 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. In support thereof, the City shows the following:

I. BACKGROUND

On October 18, 2016, Ker-Seva Ltd., ADC West Ridge, LP and Center for Housing Resources, Inc. ("Complainants") jointly served RFIs and RFAs on the City. A copy of the RFIs and RFAs are identified as Item No. 53 on the PUC's File Interchange. Pursuant to PUC Proc. R. 22.144(d) and 22.4, these objections are timely filed.

The City contacted counsel for Complainants and negotiated diligently and in good faith on the objections stated below. While the parties were able to work out some objections, the objections stated below remain unresolved.

II. OBJECTIONS

Regarding Complainant's RFIs and RFAs, each objection will be considered separately below, pursuant to PUC Proc. R. 22.141(d).

A. REQUESTS FOR INFORMATION

Request for Information No. 71: Please produce a map identifying the location of the Rowlett Sanitary Sewer Interceptor Line and the location of the City of Frisco metering station and tap as described in the Interlocal Agreement attached as Exhibit "B" hereto.

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Request for Information No. 72: Please produce a map identifying the location of the City of Frisco's Point or Points of Delivery as defined in Section 6 of the water supply agreement attached hereto as Exhibit "C."

Request for Information No. 73: [AMENDED AS AGREED] Please produce all documents relating to any agreements currently in effect between Frisco and any other person or entity which relates to the use of a water line not owned by the City of Frisco or provides authorization for use of any water lines.

Request for Information No. 74: Please produce all documents identifying Frisco's existing water lines, whether located within Frisco's CCN or outside. For purposes of this request, Frisco's "existing water lines" means any lines for which Frisco owns, operates, has authorization to use, or any portion is reserved to serve Frisco's needs, for provision of water service.

Request for Information No. 75: Please produce all documents identifying Frisco's existing sewer lines, whether located within Frisco's CCN or outside. For purposes of this request, Frisco's "existing sewer lines" means any lines for which Frisco owns, operates, has authorization to use, or any portion is reserved to serve Frisco's needs, for provision of sewer service.

OBJECTION: The City objects to RFI Nos. 71-75 on the same grounds. Each request asks Frisco to identify items related to wholesale service it receives. Frisco objects to the request as it is overly broad and burdensome. This instant matter relates to retail water and sewer service. Thus, the location of lines to convey wholesale sewer or received wholesale water service is wholly irrelevant to the retail issues referred to in the PUC's list of issues to be addressed.

Request for Information No. 83: Please produce all correspondence or documents exchanged between you and any person who may be called to present expert testimony in this case.

Request for Information No. 84: Please produce the curriculum vitae of each witness you may call to present expert testimony in this case or by deposition.

Request for Information No. 85: Please produce the curriculum vitae of each consulting expert whose opinions, impressions or work product have been reviewed by a testifying expert in connection with the issues presented in this proceeding.

Request for Information No. 86: Please produce all documents prepared, considered, reviewed, or relied upon by each testifying expert and/or consulting expert whose opinions or impressions have been reviewed by a testifying expert or whose work has formed the basis, in whole or in part, for the mental impressions and opinions of an expert who may be called to testify.

OBJECTION: The City objects to RFI Nos. 83-86 on the same grounds. Order No. 3 ordered expert disclosures. The requests are duplicative and multifarious.

Request for Information No. 87: Please produce all documents relating to the charges or expenses you have incurred as result of the work done by any expert who may be called to testify as a witnesses [sic] in this proceeding and by each consulting expert whose opinions or impressions have been reviewed by a testifying expert or whose work has formed the basis, in whole or in part, for the mental impressions and opinions of a testifying expert.

OBJECTION: The City objects as the request is irrelevant to the retail utility issues dealt with in this docket. The information requested will not lead to the discovery of admissible evidence.

III. CONCLUSION AND PRAYER

The City respectfully requests an order:

- (1) Sustaining the City's objections.
- (2) Granting the City all other and further relief to which it is justly entitled.

Respectfully submitted,

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ATTORNEYS FOR THE CITY OF FRISCO

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of October, 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:

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