



Control Number: 45870



Item Number: 76

Addendum StartPage: 0

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

**CITY OF FRISCO'S MOTION TO COMPEL RESPONSES TO OBJECTIONS OF ADC  
WEST RIDGE, L.P. AND CENTER FOR HOUSING RESOURCES, INC. TO THE  
CITY'S SECOND, THIRD, AND FOURTH SETS OF REQUESTS FOR INFORMATION  
AND REQUESTS FOR ADMISSION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

COMES NOW, the City of Frisco ("City" or "Frisco") and files this Motion to Compel Responses to Requests for Information ("RFI") and Requests for Admission ("RFA") to ADC West Ridge, LP and Center for Housing Resources, Inc. In support thereof, the City shows the following:

**I. BACKGROUND**

On November 4, 2016, the City served its Second Set of RFIs and RFAs on Ker-Seva Ltd., ADC West Ridge, LP and Center for Housing Resources, Inc. ("Complainants"). On November 5, 2016, the City served its Third Set of RFIs on Complainants. On November 8, 2016, the City served its Fourth Set of RFIs on Complainants. On November 14, 2016, Complainants filed objections to certain RFIs and RFAs contained in the City's Second and Third sets of RFIs and RFAs. On November 16, 2016, Ker Seva Ltd. was removed as a party to this proceeding pursuant to Order No. 5. On November 18, 2016, Complainants filed objections to the City's Fourth Set of RFIs. For the sake of expediency and to not over burden the record, the City will seek to compel the RFIs objected to by the Complainants to the City's Second, Third, and Fourth sets of RFIs in

this one pleading. Pursuant to PUC Proc. R. §§ 22.144(d) and 22.4, this Motion to Compel is timely filed.

## **II. MOTION TO COMPEL AND RESPONSES TO OBJECTIONS SECOND SET OF RFIs**

### **RFI No. 117**

**Request for Information No. 117:** Please indicate the date Exhibit B was drafted and identify the persons to whom Complainants provided the document.

**OBJECTION:** Irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** The document identified as Exhibit B in the request is a timeline created by Complainant. It relates in large part to assertions made against the City regarding the receiving water and sewer from the City. Because of that, the date and to whom it was provided is relevant. The answers may prompt additional inquiries into who else may have knowledge of relevant facts in this case.

### **RFI No. 118**

**Request for Information No. 118:** Exhibit B refers to and identifies Exhibit A through BB. Please provide all exhibits referred to and identified in Exhibit B.

**OBJECTION:** Irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** Complainants only complain of producing Exhibit X. Ms. Homfield looks at building plans which relate to the need, size, and capacity needed for water and sewer utility. As such, the documents are relevant to the issues presented in this case.

### **RFI Nos. 121-194**

**Request for Information Nos. 121-194:** Each request relates to a specific entry on the Timeline prepared by Complainants.

**OBJECTION:** Overly broad and unduly burdensome; marshal evidence.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** Each request asks for information related to a specific statement or allegation made by Complainants in a “Timeline” that is attached as Exhibit B to the City’s RFIs. As Complainants prepared the document, there is no indication how providing the requested information is now unduly burdensome or overly broad

when it parrots the language right out of Complainants own document. Further, we are not asking Complainant to marshal its evidence but to provide information regarding its own statements.

**RFI Nos. 129, 130, 137, 138, 161, 162, 183, 184**

**Request for Information No. 129:** For the entry dated 2/16/2015 on Exhibit B, please produce all documents that relate to any statement or assertion contained in said entry.

**Request for Information No. 130:** Please identify all facts, information, and understandings, including names and addresses of person from whom you obtained such information, from which you detail the assertions contained in the entry dated 2/16/2015 on Exhibit B.

**Request for Information No. 137:** For the entries dated 3/3/2015 on Exhibit B, please produce all documents that relate to any statement or assertion contained in said entry.

**Request for Information No. 138:** Please identify all facts, information, and understandings, including names and addresses of person from whom you obtained such information, from which you detail the assertions contained in the entries dated 3/3/2015 on Exhibit B.

**Request for Information No. 161:** For the entry dated 11/18/2015 on Exhibit B, please produce all documents that relate to any statement or assertion contained in said entry.

**Request for Information No. 162:** Please identify all facts, information, and understandings, including names and addresses of person from whom you obtained such information, from which you detail the assertions contained in the entry dated 11/18/2015 on Exhibit B.

**Request for Information No. 183:** For the entries dated 6/28/2016 on Exhibit B, please produce all documents that relate to any statement or assertion contained in said entry.

**Request for Information No. 184:** Please identify all facts, information, and understandings, including names and addresses of person from whom you obtained such information, from which you detail the assertions contained in the entries dated 6/28/2016 on Exhibit B.

**OBJECTION:** Irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** Each request relates to permitting processes or actually seeking a utility connection with the City. Part of the allegations has been that Complainant has been denied service. Thus, the size, scope, and capacity needed to serve the property is relevant to this proceeding. As such, the objection should be overruled.

**RFA No. 8**

**Request for Admission No. 8:** Admit that the Annexation Agreement identified as Exhibit C is expired.

**OBJECTION:** Beyond the scope of discovery.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** The annexation agreement is a specifically referred issue in this case. It is disingenuous to assert that the annexation agreement gives the Complainants some rights to service, then seek to skirt discovery on such issues.

**III. MOTION TO COMPEL AND RESPONSES TO OBJECTIONS  
THIRD SET OF RFIs**

**RFI No. 196**

**REQUEST FOR INFORMATION NO. 196:** Please identify your efforts to contact representatives of Frisco regarding the Property or the basis of your complaint against Frisco in this docket. Please produce all documents that relate to such effort.

**OBJECTION:** Overly broad and unduly burdensome; available through Frisco's own witnesses.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. They believe that the subject lot derives some rights to service based on being part of a larger piece of property. As such, requesting information that relate to the property and their interaction with the City is not overly broad or unduly burdensome as Complainants have the information that is requested. There has been no suggestion that time or effort to assemble the information is difficult. Further, Frisco does not know of the Complainants efforts to contact Frisco. While Frisco may know when contact was actually made, the request is not limited to just times contact was actually made. Thus, the information may not be equally available to Frisco.

**RFI No. 197**

**REQUEST FOR INFORMATION NO. 197:** Please identify your efforts to contact Susan Fletcher regarding the Property or the basis of your complaint against Frisco in this docket. Please produce all documents that relate to such effort.

**OBJECTION:** Overly broad and unduly burdensome; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** Ms. Fletcher works for e Collin County. This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. They believe that the subject lot derives some rights to service based on being part of a larger piece of property. As such, requesting information that relate to the larger property and their interaction with the County is not overly broad or unduly burdensome as Complainants have the information that is requested. There has been no suggestion that time or effort to assemble the information is difficult. Further, as part of the complaint, Complainants assert that they have no mechanism to route a line to the subject property. Any permits, communications, permits, platting, or other dialog that relate to Collin County and its impact on routing or platting the subject property, which includes water and sewer easements, is relevant to this proceeding.

**RFI No. 198**

**REQUEST FOR INFORMATION NO. 198:** Please identify all communications with Susan Fletcher regarding the Property or the basis of your complaint against Frisco in this docket. Please produce all documents that relate to such communications.

**OBJECTION:** Overly broad and unduly burdensome; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** Ms. Fletcher works for e Collin County. This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. They believe that the subject lot derives some rights to service based on being part of a larger piece of property. As such, requesting information that relate to the larger property and their interaction with the County is not overly broad or unduly burdensome as Complainants have the information that is requested. There has been no suggestion that time or effort to assemble the information is difficult. Further, as part of the complaint, Complainants assert that they have no mechanism to route a line to the subject property. Any permits, communications, permits, platting, or other dialog that relate to Collin County and its impact on routing or platting the subject property, which includes water and sewer easements, is relevant to this proceeding.

**RFI Nos. 199-208, 210**

**REQUEST FOR INFORMATION NO. 199:** Please state the factual basis for your contention that that Frisco "unexpectedly called and held an unnecessary public hearing on the West Ridge Villas 9% Tax Credit Application." Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 200:** Please state the factual basis for your contention that Stacy Brown promised to place "affordable developments" on the February 13, 2015 agenda of the Frisco City Council. Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 201:** Please produce all documents that relate to any “revised design exhibits” that were submitted to John Lettelleir or Stacy Brown for review and a meeting on or about February 20, 2015.

**REQUEST FOR INFORMATION NO. 202:** Please produce the factual basis for your contention that on February 24, 2015, John Lettelleir stated or indicated that he would not have time to review the submission of February 20, 2015 by you before the Frisco City Council meeting on March 20, 2015 because he didn’t want to “expend staff resources” before Frisco City Council input. Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 203:** Please identify the factual basis for your contention that Frisco beginning in March 2015 “refused requests for a pre-construction meeting, any meeting with city staff, or even an administrative review of the proposed preliminary site plan [or] a Preliminary Plat application.” Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 204:** Please identify the factual basis for your contention that on or about March 2, 2015 “Frisco failed to support the 9% HTC Application stating they could not support a development that would not otherwise be approved if it were not a tax credit deal due to the site being less than 5 acres as required by MF-19 zoning requirements.” Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 205:** Please state the factual basis for your contention that on or about March 2, 2015, Frisco took action to “preempt any ‘vested rights’ and prevent the proposed MF-19 affordable development.” Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 206:** Please state the factual basis for your contention that on or about March 2, 2015, the Frisco City Council “modified the draft Consolidated Plan originally presented at the February 17, 2015 meeting moving the subject property from the ETJ into the city limits and showing future planned land use as single family.” Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 207:** Please state the factual basis for your contention that on or about March 16, 2015, Frisco did not make available to the Plaintiff any application or processes that would establish vested rights. Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 208:** Please state the factual basis that relate to your contention that on or about March 2, 2015 a “Preliminary Plat is not required by the [Frisco] Subdivision Ordinance for commercial construction.” Please produce all documents that relate to such contention.

**REQUEST FOR INFORMATION NO. 210:** Please identify the factual basis for your contention that you submitted all revisions to the Preliminary Plat for the Property or any part thereof before 12:00 pm on March 3, 2015. Please produce all documents that relate to such contention.

**OBJECTION:** Overly broad and unduly burdensome; duplicative; marshal evidence.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome. The information sought relates completely to a "Timeline" prepared by the principal owner of ADC and Center for Housing Resources. If she made collated the information to prepare the timeline, it begs the question: how is it overly broad and unduly burdensome to justify the statements you made? Frankly, there is no support for the spurious objection. To the extent the information is duplicative, a simple reference to the RFI in which they believe the information relates is sufficient. Frisco does not believe the requests are duplicative. Requesting the factual basis for contentions the Complainants made is not a request to marshal their evidence. It is a request to understand the facts that arise to statements they have previously made.

**RFI Nos. 201 and 209**

**REQUEST FOR INFORMATION NO. 201:** Please produce all documents that relate to any "revised design exhibits" that were submitted to John Lettelleir or Stacy Brown for review and a meeting on or about February 20, 2015.

**REQUEST FOR INFORMATION NO. 209:** All documents that relate to Frisco staff's comments to the Preliminary Plat submitted by you for the Property or any part thereof.

**OBJECTION:** Equally available to Frisco; overly broad and unduly burdensome.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** The City has a keen interest in understanding Complainants' position. As such, the City needs to know exactly what Complainants believe have been submitted and the responses they received. Frisco believes that Complainants understanding of the events may not be accurate. There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome.

**RFI No. 211**

**REQUEST FOR INFORMATION NO. 211:** Please produce all documents that you received from Collin County in response to any Public Information Request made by the you to Collin County.

**OBJECTION:** Vague and ambiguous; overly broad and unduly burdensome.



**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome. In discussion the objections with Complainants' counsel, counsel does not recall a discussion as to how the request was vague, so this objection is a surprise. However, the request is very specific. Complainants made a request pursuant to the Public Information Act to Collin County. The request merely seeks the documents received from the requests. Frisco is unsure how such a simple request is vague or ambiguous. Further, "all documents" does not lack specificity when you are instructing what you seek, i.e. the same documents the Complainant received from Collin County.

**RFI Nos. 212-213, 215**

**REQUEST FOR INFORMATION NO. 212:** Please produce all documents that relate to your request for permit applications from Collin County for the Property or any part thereof.

**REQUEST FOR INFORMATION NO. 213:** Please produce all documents that relate to your request for permit applications from Frisco for the Property or any part thereof.

**REQUEST FOR INFORMATION NO. 215:** Please produce documents that relate to your request for permit applications from the City of McKinney, Texas for the Property or any part thereof.

**OBJECTION:** Overly broad and unduly burdensome; irrelevant; Frisco permit applications equally available to Frisco.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome. A specific issue referred to SOAH by the PUC is the ability to be served by the City of McKinney. Thus, all efforts to seek permits from McKinney is relevant. Information from Collin County is equally relevant as it relates to possible routing and water and sewer issues. Collin County has platting responsibilities for property in the ETJ, such as the subject property. This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. They believe that the subject lot derives some rights to service based on being part of a larger piece of property. As such, requesting information that relate to the property and their interaction with the City is not overly broad or unduly burdensome as Complainants have the information that is requested. Further, the information requested may not solely be limited to the information submitted to the City. If there is back-up data that supports their submission, the request encompasses that as well.

**RFI Nos. 216-217**

**REQUEST FOR INFORMATION NO. 216:** [AMENDED AS AGREED] Please produce all documents that relate to communications between Complainants and George Hill regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 217:** Please produce all documents that relate to communications between you and Rick Dwoarshack regarding the Property or the basis of the complaint that is the subject of this proceeding.

**OBJECTION:** Overly broad and unduly burdensome; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome. This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. They believe that the subject lot derives some rights to service based on being part of a larger piece of property. As such, requesting information that relate to the property is not overly broad or unduly burdensome as Complainants have the information that is requested. The objection is additionally inadequate as it makes no assertion as to why the requests are irrelevant. As such, the objection should be overruled.

**RFI Nos. 218, 226-228, 234**

**REQUEST FOR INFORMATION NO. 218:** Please produce all documents that relate to communications between you and Luis Gonzales regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 226:** All documents that relate to communications between you and Weir Brothers Contracting, LLC. regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 227:** All documents that relate to communications between you and KWA Construction regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 228:** All documents that relate to communications between you and Joe Thomason regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 234:** All documents that relate to communications between you and Stan Fulks regarding the Property or the basis of the complaint that is the subject of this proceeding.

**OBJECTION:** Overly broad and unduly burdensome; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome. This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. The City has reason to believe that one or more of the persons listed sought water and/or sewer permits or sought to make connections to water and/or sewer lines in the area in contravention of the City's ordinances. As such, it is relevant to the service directly provided by the City and at issue in this case.

**RFI No. 219**

**REQUEST FOR INFORMATION NO. 219:** Please produce all documents that relate to communications between you and Tracy Homfield regarding the Property or the basis of the complaint that is the subject of this proceeding.

**OBJECTION:** Overly broad and unduly burdensome; lacks specificity; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome. This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. They believe that the subject lot derives some rights to service based on being part of a larger piece of property. As such, requesting information that relate to the property is not overly broad or unduly burdensome as Complainants have the information that is requested. The requests asks for specific information regarding communications with Ms. Homfield. The request is not overly broad or unduly burdensome. The objection is additionally inadequate as it makes no assertion as to why the requests are irrelevant. As such, the objection should be overruled.

**RFI No. 220-225, 235**

**REQUEST FOR INFORMATION NO. 220:** Please produce all documents that relate to communications between you and Amy Matthews regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 221:** Please produce all documents that relate to communications between you and Toyin Fawehinmi regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 223:** Please produce all documents that relate to communications between you and Nell Lange regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 224:** All documents that relate to communications between you and Chris Goulette regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 225:** All documents that relate to communications between you and Frisco Utility Billing Department regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 235:** All documents that relate to communications between you and Ryan Hahn regarding the Property or the basis of the complaint that is the subject of this proceeding.

**OBJECTION:** Overly broad and unduly burdensome; lacks specificity; irrelevant; equally available to Frisco.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** There has been no suggestion that time or effort to assemble the information is difficult. Thus, there is an inadequate demonstration that the information sought is unduly burdensome. Any communication that revolves around employees as it relates to this case is irrelevant. There is no factual assertion that suggests otherwise by Complainants. Further, the documents may not be equally available to Complainants. The requests ask for documents that relate to the communications. Thus, any notes generated, emails generated, email attachments, letters, etc. that relate to communications may not have been submitted to the City, but are still within the possession of the Complainants. Such documents may lead to the discovery of admissible evidence. Finally, the requests are narrowly tailored to specific individuals or departments to make identification easier for Complainants.

**RFI No. 222**

**REQUEST FOR INFORMATION NO. 222:** Please produce all documents that relate to communications between you and Jastinder Jawanda regarding the Property or the basis of the complaint that is the subject of this proceeding.

**OBJECTION:** Overly broad and unduly burdensome; lacks specificity; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. They believe that the subject lot derives some rights to service based on being part of a larger piece of property. As such, requesting information that relate to the property and their interaction with the City is not overly broad or unduly burdensome as Complainants have the information that is requested. There has been no suggestion that time or effort to assemble the information is difficult.

**RFI Nos. 229-233**

**REQUEST FOR INFORMATION NO. 229:** All documents that relate to communications between you and the City of McKinney regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 230:** All documents that relate to communications between you and the City of McKinney Police Department regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 231:** All documents that relate to communications between you and Randy Roland regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 232:** All documents that relate to communications between you and the City of McKinney Engineering Department regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 233:** All documents that relate to communications between you and Chris Hill regarding the Property or the basis of the complaint that is the subject of this proceeding.

**OBJECTION:** Overly broad and unduly burdensome; lacks specificity; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. Dealing with the City of McKinney is a referred issue. Thus, the request for their interaction with the different departments and individuals that the City believe Complainants have contacted regarding the subject property is relevant to this case. Requesting information that relate to the property and their interaction with McKinney is not overly broad or unduly burdensome as Complainants have the information that is requested. There has been no suggestion that time or effort to assemble the information is difficult.

**RFI No. 237-238**

**REQUEST FOR INFORMATION NO. 237:** All documents that relate to communications between you and Wesley and/or Susan Williams regarding the Property or the basis of the complaint that is the subject of this proceeding.

**REQUEST FOR INFORMATION NO. 238:** All documents that relate to communications between you and Timothy and/or Teresa Legat regarding the Property or the basis of the complaint that is the subject of this proceeding.

**OBJECTION:** Overly broad and unduly burdensome; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. All named individuals relate to efforts by Complainant to seek water and sewer to their property. Thus, the information is directly related to referred issues. The requests are tailored to specific individuals and not overly broad. There is no suggestion as to the time or effort needed to comply with the request. Thus, the request is not unduly burdensome.

#### **IV. MOTION TO COMPEL AND RESPONSES TO OBJECTIONS FOURTH SET OF RFIs**

##### **RFI Nos. 239-240**

**Request for Information No. 239:** Please provide all contracts, agreements, emails, letters or memorandum of understandings, communications, and other commitments between you and any other party for construction, development, permitting, designing, or any other activity on Lot 2.

**Request for Information No. 240:** Please list all contractors, experts, or other individual or entity with whom you have communicated regarding the construction, development, permitting, designing, or any other activity on Lot 2.

**OBJECTION:** Overly broad and unduly burdensome; lacks specificity; irrelevant.

**RESPONSE AND REASON TO GRANT MOTION TO COMPEL:** These requests are narrowly tailored to the subject property and not overly broad. This case revolves around Complainants' false allegation that Frisco has denied Complainants' water and sewer service. The requests relate to efforts by Complainant to seek water and sewer to their property. Thus, the information is directly related to referred issues. There is no suggestion as to the time or effort needed to comply with the request. Thus, the request is not unduly burdensome.

#### **V. CONCLUSION AND PRAYER**

The City respectfully requests an order:

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

Respectfully submitted,

**Russell & Rodriguez, L.L.P.**

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/s/ Arturo D. Rodriguez, Jr.

ARTURO D. RODRIGUEZ, JR.  
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**ATTORNEYS FOR THE CITY OF FRISCO**

## CERTIFICATE OF SERVICE

I hereby certify that on this 21<sup>st</sup> day of November, 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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/s/ Arturo D. Rodriguez, Jr.  
ARTURO D. RODRIGUEZ, JR.