



Control Number: 45956



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DOCKET NO. 45956

RECEIVED

APPLICATION OF THE CITY OF §  
SCHERTZ FOR SINGLE §  
CERTIFICATION IN INCORPORATED §  
AREA AND TO DECERTIFY PORTIONS §  
OF GREEN VALLEY SPECIAL UTILITY §  
DISTRICT'S SEWER CERTIFICATE OF §  
CONVENIENCE AND NECESSITY IN §  
GUADALUPE COUNTY §


BEFORE THE PUBLIC UTILITY §  
COMMISSION OF TEXAS  
2016 JUL 27  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**GREEN VALLEY SUD'S FIRST REQUESTS FOR INFORMATION  
TO THE CITY OF SCHERTZ**

To: City of Schertz, Texas, by and through its attorneys of record, David Klein and Christie Dickenson, Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Green Valley Special Utility District ("Green Valley SUD") hereby serves this First Request for Information to the City of Schertz ("Schertz") pursuant to P.U.C. PROC. R. § 22.144.

Respectfully submitted,

By: 

Paul M. Terrill III  
State Bar No. 00785094  
Geoffrey P. Kirshbaum  
State Bar No. 24029665  
TERRILL & WALDROP  
810 W. 10<sup>th</sup> Street  
Austin, Texas 78701  
(512) 474-9100  
(512) 474-9888 (fax)

**ATTORNEYS FOR GREEN VALLEY SPECIAL UTILITY  
DISTRICT**

**CERTIFICATE OF SERVICE**

I hereby CERTIFY that on July 7, 2016, a true and complete copy of the above was sent by the method indicated to counsel of record at the following addresses in accordance with P.U.C. PROC. R. 22.74:

David Klein  
Christie Dickenson  
Lloyd Gosselink  
816 Congress Ave., Suite 1900  
Austin, Texas 78701


*via fax to: (512) 472-0532*

**ATTORNEY FOR APPLICANT**

Alexander Petak  
Public Utility Commission of Texas  
1701 N Congress PO Box 13326  
Austin, Texas 78711-3326

*via fax to: (512) 936-7268*

**ATTORNEY FOR COMMISSION STAFF**

  
\_\_\_\_\_  
Geoffrey P. Kirshbaum

## **INSTRUCTIONS**

The following paragraphs include instructions and definitions that apply to the requests for information that are contained in this discovery request. Unless otherwise clearly indicated within the context of a specific interrogatory herein, the definition of each term provided below applies whether the term is used or defined in the singular or plural.

You are directed to answer the following written questions fully and in writing, based on all information reasonably available to you or your attorney at the time your response is made. In those instances when you choose to answer an RFI propounded herein by referring to a specific document or record, you are instructed to specify the same in sufficient detail to permit the City of Schertz to locate and identify the records or documents from which the answer is to be ascertained as readily as could you.

You are under a continuing duty to supplement your answers to these RFIs if you discover that they were incomplete or incorrect when made, or if you discover that they are no longer complete and correct. Supplementation must be made reasonably promptly after you discover the need for supplementation.

## **DEFINITIONS**

1. “You “ and “Your” refers to “City of Schertz” or “the City,” the Applicant Party in PUC Docket No. 45956.
2. “Green Valley Special Utility District” or “GVSUD” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of GVSUD.
3. “City” or “Schertz” refers to the City of Schertz, Texas; its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of the Schertz.
4. The term “Commission” or “PUC” refers to the Public Utility Commission of Texas, an administrative agency of the State of Texas, and its Staff and Commissioners, natural persons employed by and working for the agency.
5. The term “Staff” as used herein refers to the natural persons employed by and working for the Public Utility Commission in any capacity.
6. The term “TCEQ” as used herein refers to the Texas Commission on Environmental Quality, an administrative agency of the State of Texas, and its staff and commissioners, natural persons employed by and working for the agency.

7. The term “Application” as used herein refers to the City’s Application to Obtain or Amend a Certificate of Convenience and Necessity Under Water Code Section 13.255 filed with the Commission on May 11, 2016.
8. The term “CCN” as used herein refers to a certificate of public convenience and necessity to provide retail water or sewer service issued by the Commission or a predecessor agency.
9. “Document” and “Documents” are used herein in their broadcast sense as set forth in TEX. R. CIV. P. 192.3(b) and as described in P.U.C. SUBST. R. 24.141(a), and specifically include electronic information or magnetic data as described in Rule 196.4. These words mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms “Document” and “Documents” shall include all agreements, contracts, Communications, correspondence, letters, opinion letters, telegrams, telexes, telefaxes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations or interviews, minutes, summaries, or other records of meetings and conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, progress reports, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, charts, tables, accounts, analytical records, consultants' and experts' reports, appraisals, bulletins, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfische, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs and data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer stored, magnetically-stored, optically-stored, or electronically stored matter and Electronic Information, however produced, prepared, reproduced, disseminated, made or stored in any data source. The words “Document” and “Documents” also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that do not contain any markings, additions, or deletions that are different from the original do not have to be separately produced.
10. The term “communication” includes, without limitation of its generality, statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by any media such as intercoms, telephones, television, radio, or computer including electronic information.
11. The term “electronic information” includes, without limitation, the following: databases, data files, program files (e.g. .DOC, .DOCX, .TXT, .XLS, .WPD files), image files (e.g. .JPEG, .TIFF, .PDF files), email messages and files, voice mail messages and files, instant messaging messages, text messages, temporary files, system-history files, deleted files or

emails, back up files and archival files, website files, website information stored in textual, graphical or audio format, cache files, and cookies.

12. The term “data sources” includes, without limitation, mainframe computers, network servers, internet (“web”) servers, computers (including desktop, laptop and handheld computers), hard drives (including portable or temporary hard drives), flash drives (including thumb drives, secure digital cards or other flash memory devices), email servers, handheld devices like personal digital assistants and cell phones or sma11 phones (*e.g.* iPhones, BlackBerrys).
13. The terms “relate” or “relating” or “regarding” to any given subject, when used to specify a document, communication, statement, or correspondence mean any document, communication, statement or correspondence that constitutes, contains, evidences, embodies, reflects, identifies, states, discusses, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
14. The term “identify,” when used in reference to a natural person means to provide his or her (1) full name and (2) present or last known position or business affiliation, job title, employment address, and telephone number (designating which).

## REQUESTS FOR INFORMATION

- GVSUD 1-1 Copies of TCEQ inspection letters sent to the City within the last five years following inspections of the City's public drinking water system(s).
- GVSUD 1-2 Copies of all TCEQ notices of violation of public drinking water system regulations sent to the City within the last five years if not included in the formal inspection letters provided in response to GVSUD 1-2.
- GVSUD 1-3 Copies of all response letters sent to TCEQ by or on behalf of the City regarding the inspection letters or notices of violation described in the documents produced in response to either GVSUD 1-1 or GVSUD 1-2.
- GVSUD 1-4 Copies of all City logs, work orders, or other internal memoranda demonstrating violations of TCEQ public drinking water system rules not reported to TCEQ by Schertz.
- GVSUD 1-5 Copies of all City boil water notices or other public notices required by TCEQ rules for the City's public drinking water system(s) issued in the last five years.
- GVSUD 1-6 Copies of all City public drinking water system customer complaints for the last five years concerning water quality, pressure or lack of water.
- GVSUD 1-7 Please identify all outstanding TCEQ violations for your public drinking water system(s).
- GVSUD 1-8 Please identify the TCEQ Public Drinking Water System ID number or numbers for your public drinking water system(s).