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SOAH DOCKET NO. 473-16-5739.WS  
PUC DOCKET NO. 45956

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PUBLIC UTILITY COMMISSION  
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APPLICATION OF THE CITY OF §  
SCHERTZ TO AMEND A SEWER §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY UNDER WATER §  
CODE SECTION 13.255 AND TO §  
DECERTIFY A PORTION OF GREEN §  
VALLEY SPECIAL UTILITY §  
DISTRICT'S CERTIFICATE RIGHTS IN §  
BEXAR COUNTY §

PUBLIC UTILITY COMMISSION  
OF TEXAS

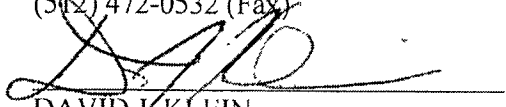
**CITY OF SCHERTZ'S RESPONSE TO GREEN VALLEY SPECIAL UTILITY  
DISTRICT'S SECOND REQUEST FOR INFORMATION**

Pursuant to 16 Tex. Admin. Code ("TAC") § 22.144, comes now the City of Schertz (the "City"), by and through its undersigned attorneys of records, and files its Response to Green Valley Special Utility District's ("GVSUD" or "District") Second Request for Information ("RFI"). This Response may be treated by all parties as if it was filed under oath.

Respectfully submitted.

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ATTORNEYS FOR CITY OF SCHERTZ

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, hand-delivery and/or regular, first class mail on this 19th day of October, 2016 to the parties of record.



David J. Klein

**CITY OF SCHERTZ'S RESPONSE TO  
GREEN VALLEY SPECIAL UTILITY DISTRICT'S SECOND RFI**

GVSUD 2-1            The correct names of the parties to the Application docket.

RESPONSE:            The City of Schertz; Green Valley Special Utility District; and the Public  
Utility Commission of Texas.

Prepared by:            James A. Hooks  
Sponsored by:            James A. Hooks and Dudley Wait

GVSUD 2-2            The name, address, and telephone number of any potential parties.

RESPONSE:            The City is not aware of any other potential parties.

Prepared by:            James A. Hooks  
Sponsored by:            James A. Hooks and Dudley Wait

GVSUD 2-3      The legal theories and, in general, the factual bases of the responding party's claims or defenses (the responding party need not marshal all evidence that may be offered at trial).

RESPONSE:      The City's application for single sewer certification under Texas Water Code § 13.255 that is the subject of this docket should be approved as requested. It is the City's contention that there is no property of GVSUD that will be rendered useless or valueless to GVSUD by the decertification sought by the City in the Application. It is also the City's contention that the City has not requested GVSUD to transfer any property to the City. Further, it is the contention of the City that GVSUD's existing appraisal is not limited to valuing the property that has been determined to have been rendered useless or valueless by decertification and the property that the City has requested to be transferred. Rather, GVSUD's existing appraisal includes costs and expenses that are not property and are well beyond the scope of property that has been rendered useless and valueless by decertification, as (i) no property of GVSUD has been rendered useless or valueless, and (ii) the City has not requested GVSUD to transfer any property to the City.

Prepared by:      James A. Hooks  
Sponsored by:      James A. Hooks and Dudley Wait

GVSUD 2-4            The amount and any method of calculating economic damages.

RESPONSE:            In light of Texas Water Code § 13.255, the City is not aware of any economic damages in this matter.

Prepared by:            James A. Hooks  
Sponsored by:            James A. Hooks and Dudley Wait

GVSUD 2-5            The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

RESPONSE:            The City is aware of the following persons having knowledge of relevant facts:

Mr. John Kessel, City Manager for the City  
Mr. Dudley Wait, Executive Director, Operations for the City  
Mr. James Hooks, Water and Wastewater Manager, Public Works for the City

Mayor Michael Carpenter  
Councilmember Jim Fowler  
Councilmember Grumpy Azzoz  
Councilmember Daryl John  
Councilmember Cedric Edwards  
Councilmember Robin Thompson

All of these individuals have the following address and phone number:

City of Schertz  
1400 Schertz Parkway  
Schertz, Texas 78154  
Phone Number: 210-619-1000

Mr. Jack Stowe  
Director  
NewGen Strategies & Solutions  
3430 Executive Center Dr., Suite 163  
Austin, Texas 78731  
(512) 479-7900

Mr. Pat Allen  
General Manager  
Green Valley Special Utility District  
c/o Terrill & Waldrop  
810 West 10th Street  
Austin, Texas 78701  
(512) 474-9100

Mr. Mark Zeppa  
Attorney  
Green Valley Special Utility District  
4833 Spicewood Springs Rd., Suite 202  
Austin, Texas 78759  
(512) 346-4011



Mr. Joshua M. Korman  
Principal  
Mr. John S. Kostohryz  
Principal  
KOR Group, Inc.  
1401 Foch Street, Suite 150  
Fort Worth, Texas 76107  
(817) 870-0420

Mr. Patrick Lackey, P.E.  
Principal in Charge  
Garry Montgomery, P.E., CFM  
Project Manager  
River City Engineering  
1011 W. County Line Rd.  
New Braunfels, Texas 78130  
(830) 626-3588

Mr. Hooks and Mr. Wait are knowledgeable of at least the Application, the fact that the City has not requested GVSUD to transfer any wastewater property to the City, the discovery responses in this matter, GVSUD's wastewater system and existing appraisal filed in this matter, and the City's existing appraisal filed in this matter. They are also knowledgeable of the correspondence and other communications between the City and GVSUD regarding the Application.

The Mayor, City Manager, and Councilmembers of the City are knowledgeable of at least the Application and the fact that they have not requested GVSUD to transfer any property to the City.

Mr. Stowe prepared the City's existing appraisal filed in this matter and is knowledgeable of at least the Application, GVSUD's wastewater system and existing appraisal filed in this matter, and the fact that the City has not requested GVSUD to transfer any wastewater property to the City.

Mr. Allen and Mr. Zeppa are knowledgeable of at least the Application and other communications between the City and GVSUD regarding the Application.

Mr. Korman and Mr. Kostohryz prepared GVSUD's existing appraisal in this matter and are knowledgeable of at least the Application, the City's existing appraisal filed in this matter, and the fact that the City has not requested GVSUD to transfer any wastewater property to the City.

Mr. Lackey and Mr. Montgomery provided figures for GVSUD's existing appraisal filed in this matter and are knowledgeable of at least GVSUD's wastewater system.

Prepared by: James A. Hooks  
Sponsored by: James A. Hooks and Dudley Wait

GVSUD 2-6

For any testifying expert:

- (1) the expert's name, address, and telephone number;

RESPONSE: While the City anticipates having an expert witness testify in this matter, the City has not identified any expert witness(es) at this point. The City will update this discovery response accordingly.

- (2) the subject matter on which the expert will testify;

RESPONSE: The City will update this discovery response upon identifying an expert witness(es) in this matter.

- (3) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of the responding party, documents reflecting such information.

RESPONSE: The City will update this discovery response upon identifying an expert witness(es) in this matter.

- (4) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
  - (A) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipating of the expert's testimony; and
  - (B) the expert's current resume and bibliography.

RESPONSE: The City will update this discovery response upon identifying an expert witness(es) in this matter.

Prepared by: James A. Hooks  
Sponsored by: James A. Hooks and Dudley Wait

GVSUD 2-7            The name, address, and telephone number of any person who may be designated as a responsible third party.

RESPONSE:            The City is not aware of any person who may be designated as a responsible third party.

Prepared by:            James A. Hooks  
Sponsored by:            James A. Hooks and Dudley Wait