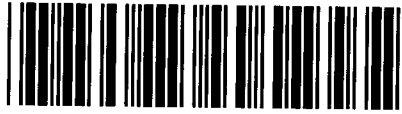




Control Number: 46120



Item Number: 48

Addendum StartPage: 0

RECEIVED

CITY OF MIDLOTHIAN NOTICE OF  
INTENT TO PROVIDE WATER  
SERVICE TO LAND DECERTIFIED  
FROM MOUNTAIN PEAK SPECIAL  
UTILITY DISTRICT

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BEFORE THE 3:15

PUBLIC UTILITY COMMISSION

OF TEXAS

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S SUPPLEMENTAL RESPONSES  
TO CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

Pursuant to Order No. 4, Mountain Peak Special Utility District ("Mountain Peak") files these Supplemental Responses to the City of Midlothian's ("City") First Set of Requests for Information and Request for Admission to Mountain Peak Special Utility District. These responses are timely-filed. Mountain Peak Special Utility District agrees and stipulates that all parties may treat these responses as if the answers were filed under oath.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: Mallory Beck  
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ATTORNEYS FOR MOUNTAIN PEAK  
SPECIAL UTILITY DISTRICT

48

**CERTIFICATE OF SERVICE**

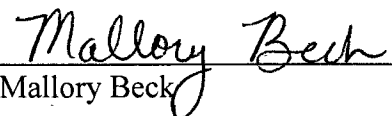
I hereby certify that on the 16th day of December 2016, a true and correct copy of the foregoing document was served on the individuals listed below by hand delivery, email, facsimile or First Class Mail.

Patrick W. Lindner  
Paul M. Gonzalez  
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Mallory Beck

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-1.** If you cannot unequivocally admit the foregoing request (RFA No. 1-1), identify the real property rendered useless or valueless to Mountain Peak, in whole or part, as a result of the decertification in Docket No. 44394, including, for each parcel, the date and purchase price of the property, any current or planned uses for the property, any appraisals related to the property, and information on remaining debt service for loans or bonds to acquire the same.

**RESPONSE:**

All real property associated with the water facilities which were rendered useless or valueless, in whole or in part, by the decertification in PUC Docket No. 44394, as identified to date, is set forth in the documents responsive to this request. Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents produced in response to this Request bates labeled MPSUD02990-03290. Discovery is ongoing, and Mountain Peak will supplement this response, if necessary.

Prepared/Sponsored by:      Randel Kirk  
   General Manager  
   Mountain Peak Special Utility District

PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS

CITY OF MIDLOTHIAN NOTICE OF § BEFORE THE  
INTENT TO PROVIDE WATER §  
SERVICE TO LAND DECERTIFIED § PUBLIC UTILITY COMMISSION  
FROM MOUNTAIN PEAK SPECIAL §  
UTILITY DISTRICT § OF TEXAS

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-3.** If you cannot unequivocally admit the foregoing request (RFA No. 1-3), identify each financial rating allegedly affected by decertification of the Park Property, including the date of such change, and provide documents evidencing such changes.

**RESPONSE:**

Mountain Peak is unable to assess the impact to its financial ratings from the decertification of the Park Property because the full impact of the decertification will not be known until Mountain Peak's appeal of the decertification is final and Mountain Peak attempts to access additional resources in the financial markets.

Prepared/Sponsored by: Randel Kirk  
General Manager  
Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

- City's RFI No. 1-4.** Identify any water service facilities of Mountain Peak located within the Park Property, including for each facility:
- a. A description and the location;
  - b. Any service requests, studies, reports or other documents establishing the need for the facility;
  - c. The dates of Mountain Peak's decision to build, of construction, and of placement into service;
  - d. The costs of design and of construction;
  - e. The date(s), purpose(s) and design/construction costs of any expansion(s);
  - f. [withdrawn]
  - g. [withdrawn].

**RESPONSE:**

Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents produced in response to this Request bates labeled MPSUD00001-00324 and MPSUD02401-02415. Please also see documents produced in response to this Request bates labeled MPSUD03291-03406. Discovery is ongoing, and Mountain Peak will supplement this response, if necessary.

Prepared/Sponsored by: **Randel Kirk  
General Manager  
Mountain Peak Special Utility District**

PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS

CITY OF MIDLOTHIAN NOTICE OF	§	BEFORE THE
INTENT TO PROVIDE WATER	§	
SERVICE TO LAND DECERTIFIED	§	PUBLIC UTILITY COMMISSION
FROM MOUNTAIN PEAK SPECIAL	§	
UTILITY DISTRICT	§	OF TEXAS

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

City's RFI No 1-5. If you cannot unequivocally admit the foregoing request (RFA No. 1-4), identify each facility that has been used to provide service to the Park Property, including the name of any person requesting service, the date and type of service provided, the location of the facility, and the date service was terminated.

**RESPONSE:**

Mountain Peak's water system works as a complete network to provide water service throughout the system. Therefore, all of Mountain Peak's facilities are "used to provide service" to the Park Property. Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents produced in response to this Request bates labeled MPSUD00001-00324 and MPSUD02401-02415 and documents produced and bates labeled MPSUD03291-03406. Discovery is ongoing, and Mountain Peak will supplement this Response, if necessary.

Prepared/Sponsored by: Randel Kirk  
General Manager  
Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS.</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-6.**      If you cannot unequivocally admit the foregoing request (RFA No. 1-5), explain the factual basis for your belief that the usefulness or value of the facilities has decreased as a result of the decertification, identifying specifically which facilities were affected and the amount of any decrease in usefulness or value.

**RESPONSE:**

Mountain Peak's water system works as a complete network to provide water service throughout the system. Therefore, all of Mountain Peak's facilities are subject to a decrease in usefulness or value as a result of the decertification. While all of Mountain Peak's facilities are impacted, the following facilities have been specifically impacted: Plant 8, Plant 9, off-site water lines associated with Plant 8 and Plant 9, a 12" water line at FM 663 and Vicney Lane, a 12" water line to Plant No. 4, Well Nos. 1, 2, 4, 5, 6, 9a, and 2a, a 1 million gallon elevated storage tank located at Plant 9, and a six-inch water line traversing the Subject Tract. At this time, Mountain Peak has not identified the amount of any decrease in usefulness or value to these or any of its facilities. Discovery is ongoing, and Mountain Peak will supplement this response, if necessary.

Prepared/Sponsored by:      Randel Kirk  
   General Manager  
   Mountain Peak Special Utility District



**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

- City's RFI No. 1-7. Identify any water service facilities of Mountain Peak located within 1000 feet of (but not on or within) the Park Property, including for each facility:
- a. A description and the location;
  - b. Any service requests, studies, reports or other documents establishing the need for the facility;
  - c. The dates of Mountain Peak's decision to build, of construction, and of placement into service;
  - d. The costs of design and of construction;
  - e. The date(s), purpose(s) and design/construction costs of any expansion(s);
  - f. [withdrawn]
  - g. [withdrawn].

**RESPONSE:**

Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents produced in response to this Request bates labeled MPSUD00001-00324 and MPSUD02401-02415. Please also see documents produced in response to this Request bates labeled MPSUD03291-03406. Discovery is ongoing, and Mountain Peak will supplement this response, if necessary.

Prepared/Sponsored by:      Randel Kirk  
   General Manager  
   Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF</b>	<b>§</b>	<b>BEFORE THE</b>
<b>INTENT TO PROVIDE WATER</b>	<b>§</b>	
<b>SERVICE TO LAND DECERTIFIED</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>FROM MOUNTAIN PEAK SPECIAL</b>	<b>§</b>	
<b>UTILITY DISTRICT</b>	<b>§</b>	<b>OF TEXAS</b>

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-11.**      If you cannot unequivocally admit the foregoing request (RFA No. 1-10), identify each instance since 1995 when a developer has not been required to pay all costs of any improvements to Mountain Peak's system necessary for Mountain Peak to provide service to a proposed subdivision and produce the documents waiving or reducing requirement for the developer:

**RESPONSE:**

No developer has been required to pay all costs of all improvements to Mountain Peak's system necessary for Mountain Peak to provide service to a proposed subdivision because all developers only pay a portion of the impact of their development to Mountain Peak's system based upon Mountain Peak's impact fees. After a diligent search, no documents were located waiving or reducing the requirement to pay impact fees and other costs associated with development. However, these payments did not cover all costs of all improvements to Mountain Peak's system necessary for Mountain Peak to provide service to the proposed development.

Prepared/Sponsored by:      Randel Kirk  
   General Manager  
   Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-18.**            Provide documents reflecting expenditures for the planning, design, and/or construction of Mountain Peak facilities that would specifically and directly provide water service to the Park Property.

**RESPONSE:**

Please see the documents produced in response to this Request bates labeled MPSUD00001-00324, MPSUD00358-00359, and MPSUD02401-02415 and documents bates labeled MPSUD03291-03406. Discovery is ongoing, and Mountain Peak will supplement this Response, if necessary.

Prepared/Sponsored by:    Randel Kirk  
   General Manager  
   Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-19.** Identify Mountain Peak's debt, including, but not limited to, the identity of each issuer, the date of issuance, the amount of debt initially incurred, any unpaid balance as of May 1, 2016, the date the debt is expected to be extinguished if Mountain Peak makes all payments on schedule, any unpaid balance as of the July 1, 2016, and any resolution authorizing its issuance or identifying its purpose.

**RESPONSE:**

Please see the documents produced in response to this Request bates labeled MPSUD02102-02321 and documents bates labeled MPSUD02990-3020, MPSUD03298-03299, and MPSUD03407-03422. Discovery is ongoing, and Mountain Peak will supplement this Response, if necessary.

Prepared/Sponsored by:      Randel Kirk  
   General Manager  
   Mountain Peak Special Utility District

PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS

CITY OF MIDLOTHIAN NOTICE OF	§	BEFORE THE
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UTILITY DISTRICT	§	OF TEXAS

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

City's RFI No. 1-20. Produce each of Mountain Peak's subdivision service extension policies in effect from 2000 to 2016 and, if not apparent from the policy, identify the effective date(s) of each.

**RESPONSE:**

Please see the documents produced in response to this Request bates labeled MPSUD02322-02323 and documents bates labeled MPSUD03423-03504.

Prepared/Sponsored by: Randel Kirk  
General Manager  
Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF</b>	<b>§</b>	<b>BEFORE THE</b>
<b>INTENT TO PROVIDE WATER</b>	<b>§</b>	
<b>SERVICE TO LAND DECERTIFIED</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>FROM MOUNTAIN PEAK SPECIAL</b>	<b>§</b>	
<b>UTILITY DISTRICT</b>	<b>§</b>	<b>OF TEXAS</b>

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-24.**            Produce deeds to Mountain Peak for any property located within 1000 feet of the Park Property and any documents setting for the reason(s) for acquisition of such property.

**RESPONSE:**

The documents requested are equally available to Midlothian through county records. However, please see the documents produced in response to this Request bates labeled MPSUD02365-02391 and MPSUD 02457-02476 and documents bates labeled MPSUD02990-03290. Discovery is ongoing, and Mountain Peak will supplement this response, if necessary.

Prepared/Sponsored by:        Randel Kirk  
  General Manager  
  Mountain Peak Special Utility District

PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS

CITY OF MIDLOTHIAN NOTICE OF	§	BEFORE THE
INTENT TO PROVIDE WATER	§	
SERVICE TO LAND DECERTIFIED	§	PUBLIC UTILITY COMMISSION
FROM MOUNTAIN PEAK SPECIAL	§	
UTILITY DISTRICT	§	OF TEXAS

MOUNTAIN PEAK SPECIAL UTILITY DISTRICT’S RESPONSES TO  
CITY OF MIDLOTHIAN’S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT

City’s RFI No. 1-25. Identify and Produce any easements held by Mountain Peak on or within 1000 feet of the Park Property.

RESPONSE:

The documents requested are equally available to Midlothian through the county records. However, please see the documents bates labeled MPSUD00315-00324 and MPSUD02457-02476 which include utility plat plans of Lawson Farms and documents bates labeled MPSUD03044-3290. Discovery is ongoing, and Mountain Peak will supplement this response, if necessary.

Prepared/Sponsored by: Randel Kirk  
General Manager  
Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF</b>	§	
<b>INTENT TO PROVIDE WATER</b>	§	
<b>SERVICE TO LAND DECERTIFIED</b>	§	<b>PUBLIC UTILITY COMMISSION</b>
<b>FROM MOUNTAIN PEAK SPECIAL</b>	§	
<b>UTILITY DISTRICT</b>	§	<b>OF TEXAS</b>

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFI No. 1-29.**

If you contend that any intangible property is rendered useless or valueless, in whole or in part, by the decertification of the Park Property, state the legal and factual basis for your claim(s), identify each type of intangible property affected and amounts paid for the intangible property and the claimed reduction in value or usefulness of the intangible property, and produce any document relied upon in making such claim(s).

**RESPONSE:**

At this time, Mountain Peak has not identified any intangible property that is rendered useless or valueless by the decertification. Discovery is ongoing, and Mountain Peak will supplement this response.

Prepared/Sponsored by:     Randel Kirk  
  General Manager  
  Mountain Peak Special Utility District



PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS

<b>CITY OF MIDLOTHIAN NOTICE OF</b>	§	<b>BEFORE THE</b>
<b>INTENT TO PROVIDE WATER</b>	§	
<b>SERVICE TO LAND DECERTIFIED</b>	§	<b>PUBLIC UTILITY COMMISSION</b>
<b>FROM MOUNTAIN PEAK SPECIAL</b>	§	
<b>UTILITY DISTRICT</b>	§	<b>OF TEXAS</b>

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT’S RESPONSES TO  
CITY OF MIDLOTHIAN’S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City’s RFI No. 1-30.** Identify any facility or other property Mountain Peak claim was rendered useless or valueless, in whole or in part, as the result of decertification of the Park Property, including, for each facility or other property:

- a. A description and the location of each;
- b. The dates of construction and of placement into service;
- c. The costs of construction and of design; and
- d. Information on remaining debt service for loans or bonds to finance design and/or construction as of May 1, 2016.

To the extent that you have identified the facility or other property in response to RFI No. 1-4 or No. 1-7, no further response is solicited.

**RESPONSE:**

Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents produced in response to this Request bates labeled MPSUD00001-00324 and MPSUD02401-02415. Please also see documents produced in response to this Request bates labeled MPSUD03291-03406. Discovery is ongoing, and Mountain Peak will supplement this response, if necessary.

Prepared/Sponsored by: **Randel Kirk**  
**General Manager**  
Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO  
CITY OF MIDLOTHIAN'S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

**City's RFA No. 1-14.** Admit that the usefulness or value of the facilities to Mountain Peak identified in response to RFI No. 1-7 has not decreased as a result of decertification of the Park Property.

**RESPONSE:**

Deny.

Prepared/Sponsored by:      Randel Kirk  
   General Manager  
   Mountain Peak Special Utility District

PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS

CITY OF MIDLOTHIAN NOTICE OF  
INTENT TO PROVIDE WATER  
SERVICE TO LAND DECERTIFIED  
FROM MOUNTAIN PEAK SPECIAL  
UTILITY DISTRICT

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BEFORE THE  
  
PUBLIC UTILITY COMMISSION  
  
OF TEXAS

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT’S RESPONSES TO  
CITY OF MIDLOTHIAN’S FIRST SET OF REQUESTS FOR INFORMATION AND  
REQUEST FOR ADMISSION TO MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

City’s RFI No. 1-31.

If you cannot unequivocally admit the foregoing request (RFA No. 1-14), explain the factual basis for your belief that the usefulness and/or value of the facilities has decreased as a result of the decertification, identifying specifically which facilities were affected and the amount of any decrease in usefulness or value.

**RESPONSE:**

Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents produced in response to Request 1-7. At this time, Mountain Peak has not identified the amount of any decrease in usefulness or value of this property. Discovery is ongoing, and Mountain Peak will supplement this response.

Prepared/Sponsored by: Randel Kirk  
General Manager  
Mountain Peak Special Utility District

**PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS**

<b>CITY OF MIDLOTHIAN NOTICE OF INTENT TO PROVIDE WATER SERVICE TO LAND DECERTIFIED FROM MOUNTAIN PEAK SPECIAL UTILITY DISTRICT</b>	§ § § § §	<b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S  
DOCUMENT PRODUCTION LOG  
TO CITY OF MIDLOTHIAN'S REQUESTS FOR INFORMATION**

<b>City of Midlothian RFI #</b>	<b>Responsive Bates Numbers</b>
Produced 10/24/2016	
1-4, 1-5, 1-7, 1-18	MPSUD00001-00296 MPSUD02401-02415
1-4, 1-5, 1-7, 1-18, 1-22	MPSUD00297-00314
1-4, 1-5, 1-7, 1-15, 1-18, 1-21, 1-22, 1-23	MPSUD00315-00324
1-14	MPSUD00325-00357
1-16	MPSUD02416-02456
1-16, 1-17, 1-18, 1-23, 1-26, 1-27	MPSUD00358-00359
1-17	MPSUD00360-02101
1-19	MPSUD02102-02321
1-20	MPSUD02322-02323
1-21, 1-22, 1-23	MPSUD02324-02364 MPSUD02457-02476
1-21, 1-22, 1-23, 1-24, 1-25	MPSUD02457-02476
1-24	MPSUD02365-02391
1-26, 1-27	MPSUD02392-02394
1-28	MPSUD02395-02400

Produced 11/07/2016	
2-16	MPSUD02477-02522
2-18	MPSUD02523-02957
2-19	MPSUD02958-02989
Produced 12/16/2016	
1-1, 1-19, 1-24, 2-5, 2-31	MPSUD02990-02992
1-1, 1-19, 1-24, 2-31	MPSUD02993-03020
1-1, 1-24	MPSUD03021-03043
1-1, 1-24, 1-25	MPSUD03044-03290
1-4, 1-5, 1-7, 1-16, 1-18, 1-30, 2-2, 2-3, 2-6	MPSUD03291-03297
1-4, 1-5, 1-7, 1-18, 1-19, 1-30, 2-2, 2-3, 2-6, 2-31	MPSUD03298-03299
1-4, 1-5, 1-7, 1-18, 1-30, 2-2, 2-3, 2-6	MPSUD03300-03395
1-4, 1-5, 1-7, 1-30, 2-2, 2-3, 2-6	MPSUD03396-03406
1-19, 2-31	MPSUD03407-03422
1-20	MPSUD03423-03504
2-21	MPSUD03505-03509
2-24	MPSUD03510-03515
2-26	MPSUD03516-03889
	<p><i>See</i></p> <p>MPSUD00001-00314  MPSUD00328-00338  MPSUD02324-02334  MPSUD02336  MPSUD02401-02406  MPSUD2411-02456  MPSUD02830-02957  MPSUD02982-02989</p> <p><i>See</i> PUC Docket No. 46140, Item No. 22  <i>See</i> PUC Docket No. 46140, Item No. 26  <i>See</i> PUC Docket No. 46140, Item No. 30  <i>See</i> PUC Docket No. 46140, Item No. 28  <i>See</i> PUC Docket No. 46140, Item No. 9  <i>See</i> PUC Docket No. 46140, Item No. 6  <i>See</i> PUC Docket No. 46140, Item No. 7  <i>See</i> PUC Docket No. 46140, Item No. 29  <i>See</i> PUC Docket No. 46140, Item No. 10</p>

	<i>See PUC Docket No. 46140, Item No. 24</i> <i>See PUC Docket No. 45848; Item No. 42</i>
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PUC DOCKET NO. 46120  
SOAH DOCKET NO. 473-16-5823.WS

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 Jackson Walker LLP

**Mt. Peak SUD's Supplemental  
Responses to City of Midlothian's  
First and Second Set of Requests  
for Information and Requests for  
Admission (12/16/2016)**

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**SUPPLEMENTAL DOCUMENTS  
RESPONSIVE TO THE CITY OF  
MIDLOTHIAN'S FIRST AND SECOND  
SETS OF REQUESTS FOR  
INFORMATION ARE CONTAINED ON A  
CD ATTACHED TO MOUNTAIN PEAK  
SPECIAL UTILITY DISTRICT'S  
DOCUMENT PRODUCTION LOG**