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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
FILING CLERK

PUBLIC UTILITY COMMISSION
OF TEXAS

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S
OBJECTIONS TO THE CITY OF MIDLOTHIAN'S
THIRD SET OF REQUESTS FOR INFORMATION TO
MOUNTAIN PEAK SPECIAL UTILITY DISTRICT**

TO: City of Midlothian, by and through its Attorneys of Record, Paul Gonzalez and Patrick Lindner, Davidson Troilo, Ream & Garza, P.C.

NOW COMES, Mountain Peak Special Utility District ("Mountain Peak") and, pursuant to PUC Procedural Rule 22.144 serves its Objections to the City of Midlothian's Third Set of Requests for Information to Mountain Peak Special Utility District. In support thereof, Mountain Peak would respectfully show as follows:

OBJECTIONS

RFI No. 3-1: Please provide the annual number of total and active retail water service connections in each of Mountain Peak SUD's three pressure zones from 2006 to 2016 and as of today, and identify the meter size of each connection.

Objection: Mountain Peak objects to this Request because it is overly broad and unduly burdensome to require Mountain Peak to collect the requested data by pressure zone for each year from 2006 through the present.

RFI No. 3-3: Please list all residential developments in Mountain Peak service area for which Mountain Peak has entered a service application and agreement since 2006, including, for each development, the Service Application (and amendments/attachments thereto), the estimated number of connections associated with the development, the estimated number of and types of connections in the development actually receiving water service from Mountain Peak, and the current status of the Development.

Objection: Mountain Peak objects to this Request because it is vague and ambiguous. Mountain Peak understands this request to seek a list of all residential developments, a list of associated service applications and amendments/attachments, a list of the estimated number of connections associated with the development at or near the time of the service application or agreement, the estimated number and type of connections actually receiving water service as of January 2017, and the status of the development.

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Mountain Peak also objects to this Request because it seeks information which is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Specifically, the first two subparts requesting a list of the residential developments in Mountain Peak's service area and the service applications and documents are not relevant to what property of Mountain Peak's has been rendered useless or valueless due to the decertification of the Park Property.

Mountain Peak also objects to this Request because it is overly broad and unduly burdensome to require Mountain Peak to collect the requested data by development for each year from 2006 through the present.

RFI No. 3-8: Please identify each water system compliance investigation commenced by the TCEQ within the past 10 years, and provide documents related to each, including any commencing or ending the investigation and communications between you and the TCEQ.

Objection: Mountain Peak objects to each subpart of this Request because it seeks information which is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Further, it lacks sufficient specificity and therefore constitutes a "fishing expedition." *See Loftin v. Martin*, 776 S.W.2d 145, 148 (Tex. 1989).

Mountain Peak also objects to each subpart of this Request because it is overly broad and unduly burdensome to require Mountain Peak to collect the requested information for the past 10 years.

Respectfully submitted,

JACKSON WALKER L.L.P.

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CERTIFICATE OF SERVICE

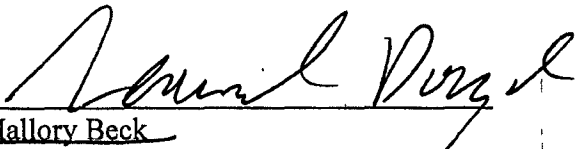
I hereby certify that on the 25th day of January 2017, a true and correct copy of the foregoing document was served on the individuals listed below by facsimile.

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