



Control Number: 46120



Item Number: 72

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

ADMINISTRATIVE HEARINGS

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

Mountain Peak Special Utility District ("Mountain Peak") files these Responses to the City of Midlothian's ("City") Third Set of Requests for Information and Request for Admission to Mountain Peak Special Utility District, which was filed with the Public Utility Commission of Texas and served on Mountain Peak Special Utility District on January 20, 2016. In accordance with the parties' agreement, 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: /s/ Mallory Beck

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ATTORNEYS FOR MOUNTAIN PEAK SPECIAL
UTILITY DISTRICT

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of January 2017, a true and correct copy of the foregoing document was served on the individuals listed below by email.

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/s/ Mallory Beck
Mallory Beck

**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	§ § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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City's 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.

RESPONSE:

Subject to Mountain Peak SUD's objections to this Request, Mountain Peak SUD responds: Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see the documents enclosed herein and bates labeled MPSUD03990-04387. The originals of these documents may be inspected at Mountain Peak SUD's office upon request.

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

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City’s RFI No. 3-2. Provide the pressure zone map provided by Mountain Peak and referenced on page 14, line 19 of the Prefiled Direct Testimony of Donald G. Rauschuber.

RESPONSE:

Please see the document enclosed herein and bates labeled MPSUD04521. The original may be inspected at Mountain Peak SUD’s office upon request.

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

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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
STATE OFFICE OF
ADMINISTRATIVE HEARINGS

**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S RESPONSES TO
CITY OF MIDLOTHIAN'S THIRD SET OF REQUESTS FOR INFORMATION AND
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City's 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.

RESPONSE:

Subject to Mountain Peak SUD's objections to this Request, Mountain Peak SUD responds: Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see the documents enclosed herein and bates labeled MPSUD04388-04520. The number of current connections is not maintained by development. Mountain Peak SUD will supplement this response with the status of the developments. The originals of these documents may be inspected at Mountain Peak SUD's office upon request.

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

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City’s RFI No. 3-4. [NO RFI NO. 3-4 LISTED IN THIRD RFI]

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City's RFA No. 3-5. For each of the "MPSUD Water-Plant Assets" line items listed in Exhibit DGR-5 (from "*Well No. 1 250 gpm*" through "*2,250 LF 12" SDR21 PVC Pipe Including Fittings and Appurtenances*"), please provide the date such asset was placed into service.

RESPONSE:

Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents previously produced in response to Midlothian's RFI Nos. 1-4, 1-5, 1-7, 1, 16, 1-18, 2-18, 2-19, and 2-26 and bates labeled MPSUD0001-00314, MPSUD02404-02406, MPSUD02411-02456, MPSUD02830-02957, MPSUD02982-02989, MPSUD03516-03542, MPSUD03599-03633. Please also see MPSUD's response to Midlothian's RFI Nos. 2-9, 2-10, and 2-11.

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

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City’s RFI No. 3-6. For the "MPSUD Water Plant Assets" listed in Exhibit DGR-5 as "*Water Plant and Construction Improvement by Circle H Construction, Lamarc, Inc., ONCOR, and J.L. Meyers – Water Plant and Transmission Construction Projects,*" provide, for each project, a name and description and status of project, including the date it was placed into service.

RESPONSE:

Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(E), please see documents previously produced in response to Midlothian’s RFI Nos. 1-4, 1-5, 1-7, 1, 16, 1-18, 2-18, 2-19, and 2-26 and bates labeled MPSUD0001-00314, MPSUD02404-02406, MPSUD02411-02456, MPSUD02830-02957, MPSUD02982-02989, MPSUD03516-03542, MPSUD03599-03633.

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

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City's RFI No. 3-7. With regard to the "MPSUD Assets Rendered Useless and Valueless Due to Decertification of Park Property" (Exhibit DGR-5), identify any other "assets" that Mountain Peak SUD asserts have been rendered useless and valueless as a result of the decertification in Docket No. 44394, including, for each asset, the pressure zone it is located in, and the date the asset was placed into service.

RESPONSE:

Mountain Peak SUD does not assert that any other assets, other than those listed on Exhibit DGR-5, have been rendered useless or valueless as a result of the decertification in Docket No. 44394.

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

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City's 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.

RESPONSE:

Subject to a ruling on Mountain Peak SUD's objection to Request No. 3-8, Mountain Peak will supplement this response as necessary.

Prepared/Sponsored by: To be supplemented.

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**MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S
DOCUMENT PRODUCTION LOG
TO CITY OF MIDLOTHIAN'S REQUESTS FOR INFORMATION**

City of Midlothian RFI #	Responsive Bates Numbers
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> 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>

	See PUC Docket No. 46140, Item No. 24 See PUC Docket No. 45848; Item No. 42
Produced 01/13/2017	
1-1	MPSUD03890-03947
1-4, 1-5, 1-7, 1-18	MPSUD03985-03987
1-16, 1-17, 1-18, 1-22 and 1-29	MPSUD03948-03983
2-4	MPSUD03984
2-26 and 2-29	MPSUD03988-03989
Produced 01/31/2017	
3-1	MPSUD03990-04387
3-3	MPSUD04388-04520
3-2	MPSUD04521

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**Mt. Peak SUD's Responses to City of
Midlothian's Third Set of Requests
for Information and Requests for
Admission (01/31/2017)
(MPSUD03990-04492)**

Austin • Dallas • Fort Worth • Houston • San Angelo • San Antonio • Texarkana