



Control Number: 46150



Item Number: 102

Addendum StartPage: 0

SOAH DOCKET NO. 473-17-0685.WS
PUC DOCKET NO. 46150

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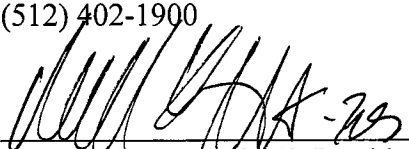
APPLICATION OF PK-RE § BEFORE THE STATE OFFICE
DEVELOPMENT COMPANY, INC. §
d/b/a OAK SHORES WATER SYSTEM §
AND UNDINE DEVELOPMENT LLC § OF
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN TRAVIS COUNTY § ADMINISTRATIVE HEARINGS

**PK-RE DEVELOPMENT COMPANY'S
RESPONSE TO GREENSHORES ON LAKE AUSTIN
PROPERTY OWNERS' ASSOCIATION, INC.'S
FIRST REQUEST FOR PRODUCTION**

PK-RE Development Company d/b/a Oak Shores Water System ("PK-RE") files this Response to the First Request for Production ("RFP") filed by Greenshores on Lake Austin Property Owners' Association, Inc. ("Greenshores"). The discovery request was received by PK-RE on December 16, 2016. Pursuant to an agreement with counsel for Greenshores, responses are due on January 13, 2017. Thus, these responses are timely filed. Pursuant to 16 Tex. Admin. Code § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

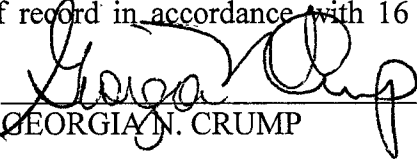
PK-RE Development Company, Inc. dba
Oak Shores Water System
500 N. Capital Hwy., Bldg. 1, Suite 125
Austin, Texas 78746
(512) 402-1900



RUSSELL EPPRIGHT, President
Hill County Galleria, Bldg. B
13301 Galleria Circle, Suite B175
Bee Cave, Texas 78738
(512) 347-1530

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2017, true and correct copy of the foregoing document has been served on all parties of record in accordance with 16 Tex. Admin. Code § 22.74.



GEORGIAN N. CRUMP

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-1 Please produce all documents filed as "Confidential" with the Commission in this matter.

Response

Documents have been previously provided with the Application. There are no other responsive documents.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-2 Please produce all documents that were relied upon or form the basis for the information submitted as part of the application filed in this proceeding.

Response

Documents have been previously provided with the Application. There are no other responsive documents.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-3 Please produce all engineering plans and maps for the water and sewer utility systems that are the subject of this proceeding and required by 30 TAC §290.46(n).

Response

See Attachment 1-3 provided on CD.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-4 Please produce any agreements between PK-RE and Undine Development, LLC concerning the sale of the water and sewer utility systems that are the subject of this proceeding.

Response

See Confidential Response to Greenshores RFP to Undine No. 1-4.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-5 Please produce any documents concerning communications
between PK-RE or its affiliates and Undine or its affiliates.

Response

Objection pending.

Prepared by: Russell Eppright.
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-6 Please produce all documents concerning the original cost and installation or acquisition date of all assets of PK-RE for the water and sewer utility systems that are the subject of this proceeding.

Response

See Rate Case Application filed in PUC Docket No. 46333, at Schedule III-3 (pages 36-37).

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

- Greenshores RFP No. 1-7 Please produce all documents concerning PK-RE's ownership of any interest in real property that is necessary to provide service for the water and sewer utility systems that are the subject of this proceeding.

Response

PK-RE provides the following Property ID numbers for the ownership of real property necessary to provide service for the water and sewer utility systems that are the subject of this proceeding.

- You may find this information on the website for Travis Central Appraisal District.

TCAD property ID 583577 – This is the Water plant site – Owned by PK-RE Ltd.

TCAD property ID 126961 – This is a well site – Owned by PK-RE Ltd.

TCAD property ID 583578 – This is the Wastewater plant site – Owned by PK-RE Ltd.

TCAD property ID 813639 - This is a well site – Owned by PK-RE Ltd.

TCAD property ID 769921 – This is the lift station for Woods of Greenshores – Owned by Woods of Greenshores, Ltd.

- Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-8 Please produce, all documents concerning communications between PK-RE and the Texas Commission on Environmental Quality for the past five years.

Response

See Attachment 1-8 provided on CD. Additional Routine Sample Reports which may be responsive to this request are voluminous and may be reviewed by appointment.

Confidential portion of responsive documents are being provided pursuant to the Protective Order issued in this docket. See confidential Attachment 1-8.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-9 Please produce all documents concerning the enforcement of any violations of federal, state or local laws, rules or regulations against PK-RE for the operation of the water and sewer utility systems that are the subject of this proceeding for the past five years.

Response

See Response to RFP No. 1-8.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-10 Please produce all documents concerning PK-RE's compliance with any judicial decree, compliance agreement or enforcement order.

Response

See Response to RFP No. 1-8.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-11 Please produce all documents concerning any deficiencies or problems related to the water and sewer utility systems that are the subject of this proceeding that need correction in order to be in compliance with the rules of the Commission or the Texas Commission on Environmental Quality.

Response

See Response to RFP No. 1-8.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-12 Please produce all documents concerning any claims by third parties against PK-RE related to the water and sewer utility systems that are the subject of this proceeding for the past five years.

Response

See TCEQ Docket No. 2016-1798-MWD: Consideration of the Petition to Partially Revoke filed by Woods of Greenshores Property Owners Association, Inc., the Architectural Control Committee of the Woods of Greenshores, et al., concerning Permit No. WQ0014286001 held by PK-RE Development Company, Inc., in Travis County, Texas.

Documents pertaining to this Petition can be found on TCEQ's website.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-13 Please produce all documents concerning any requests for water or sewer service from PK-RE for the past five years.

Response

There have been no formal requests from property owners outside of the typical service requests of existing lots within the CCN.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-14 Please produce all documents concerning any agreement by PK-RE to provide water or sewer service other than current customer service agreements.

Response

None.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-15 Please produce all documents concerning any real property owned by PK-RE or any affiliate of PK-RE that is within five miles of the area served by the water and sewer utility systems that are the subject of this proceeding.

Response

PK-RE provides the following Property ID numbers for the ownership of real property necessary to provide service for the water and sewer utility systems that are the subject of this proceeding. You may find this information on the website for Travis Central Appraisal District.

In addition to the properties identified in response to RFP 1-7 above there are:

- TCAD property ID 769920 – Woods of Greenshores common area – owned by Woods of Greenshores Ltd – In the process of conveying to Woods of Greenshores HOA.
- TCAD property ID 769942 – Single family lot – owned by Woods of Greenshores Ltd.
- TCAD property ID 769977 – Land for proposed Woods of Greenshores Phase II – Owned by Woods of Greenshores Ltd.
- TCAD property ID 775475 – Land encompassing the private streets in Woods of Greenshores - owned by Woods of Greenshores Ltd – In the process of conveying to Woods of Greenshores HOA.
- TCAD property ID 832071 – Woods of Greenshores common area – owned by Woods of Greenshores Ltd.

Prepared by: Russell Eppright

Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenhores RFP No. 1-16 Please produce all documents concerning any PK-RE debt.

Response

Confidential documents are being provided pursuant to the Protective Order issued in this docket. See confidential Attachment 1-16.

Additionally, Russell Eppright is owed \$973,152, plus interest.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-17 Please produce all documents concerning any PK-RE communications with a third-party regarding the availability of water or sewer service from another utility.

Response

None.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-18 Please produce all documentation concerning the source of any funding for the construction or acquisition of the water and sewer utility systems that are the subject of this proceeding, including any customer contributions in aid of construction, and any loans, notes or other debt obligations.

Response

See Response to RFP 1-16. Funding for the water and waste water system has been done through the above described notes with Omni and the SBA and from construction loans for Greenshores on Lake Austin and the Woods of Greenshores. All additional funding has been from Russell Eppright and Russell Parker.

For the past several years Russell Eppright has been the sole source of funding for PK-RE Development Company, Inc. as there is no other source of funding available.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-19 For any testifying expert, please produce all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony.

Response

PK-RE has not identified testifying experts at this time.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-20 For any testifying expert, please produce the expert's current resume and bibliography.

Response

PK-RE has not identified testifying experts at this time.

Prepared by: Russell Eppright

Sponsored by: Russell Eppright

GREENSHORES ON LAKE AUSTIN POA
FIRST REQUEST FOR PRODUCTION TO PK-RE
GREENSHORES RFP NO. 1-1 THROUGH 1-21

Greenshores RFP No. 1-21 For any testifying fact witness, please produce the witness' current resume and bibliography.

Response

PK-RE has not identified testifying fact witnesses at this time.

Prepared by: Russell Eppright
Sponsored by: Russell Eppright

