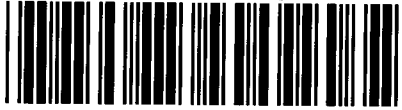


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APPLICATION OF PK-RE § BEFORE THE STATE OFFICE  
DEVELOPMENT COMPANY, INC. dba §  
OAK SHORES WATER SYSTEM AND §  
UNDINE DEVELOPMENT, LLC FOR § OF  
SALE, TRANSFER OR MERGER OF §  
FACILITIES AND CERTIFICATE § ADMINISTRATIVE HEARINGS  
RIGHTS IN TRAVIS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

**GREENSHORES ON LAKE AUSTIN PROPERTY  
OWNERS' ASSOCIATION, INC.'S FIRST REQUEST FOR INFORMATION TO  
UNDINE DEEVELOPMENT LLC**

TO: Undine Development LLC ("Undine") by and through its attorney of record, Georgia N. Crump, Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

Pursuant to 16 Tex. Admin. Code Ann. § 22.144 (TAC), Greenshores on Lake Austin Property Owners' Association, Inc. ("Greenshores") requests that Undine provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Respectfully submitted,

THE CARLTON LAW FIRM, P.L.L.C.



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ATTORNEY FOR GREENSHORES ON  
LAKE AUSTIN PROPERTY OWNERS'  
ASSOCIATION, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 16<sup>th</sup> day of December, 2016.

A handwritten signature in black ink, appearing to read 'JJC', followed by a horizontal line.

JOHN J. CARLTON

**DOCKET NO. 46150  
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**GREENSHORES ON LAKE AUSTIN POA  
FIRST REQUEST FOR INFORMATION TO UNDINE  
GREENSHORES RFI NO. 1-1 THROUGH 1-8**

**DEFINITIONS**

- A. “Undine,” “the Company,” or “you” refers to Undine Development LLC and any person acting or purporting to act on their behalf, including, without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
- B. “PK-RE” refers to PK-RE Development Company, Inc. d/b/a Oak Shores Water System and any person acting or purporting to act on their behalf, including, without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
- C. The terms “document” or “documents” are used in their broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description; whether printed, stored, produced, or reproduced by any process, whether visually, magnetically, mechanically, electronically, or by hand, whether final or draft or deleted, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include, but are not limited to, writings, correspondence, telegrams, memoranda, studies, reports, surveys, statistical compilations, diagrams, schematic and other drawings, engineering plans and drawings, maps, studies, notes, calendars, tapes, computer disks, data on computer drives, existing and deleted e-mail, electronic recordings, tape recordings, cards, records, contracts, agreements, easements, invoices, licenses, diaries, journals, accounts, ledgers, pamphlets, books, publications, microfilm, microfiche, photographs, video recordings, and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form. “Document” or “documents” shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.
- D. The terms “affiliated interest”, “affiliate” or “affiliates” has the meaning established by the Texas Water Code §13.002(2).
- E. The terms “describe” or “describe in detail” means to give a complete and full description concerning the matter about which the inquiry is made, including the full name, address, and telephone number(s) of the person(s) involved, dates, times, places, and other particulars, including all relevant documents and observations, which make the answers to these written discovery requests fair and meaningful.
- F. To “identify” an individual means to state the following about that individual: (i) the person's full name; (ii) the person's job title or former job title; (iii) the person's job (or former job) duties and responsibilities; (iv) the individual's superior(s); (v) current or last known telephone number(s); and (vi) current or last known business and home addresses.

- G. To “identify” a person as defined herein other than an individual means to provide the following information: (i) the entity's full and correct legal name; (ii) the nature of the entity's structure and/or organization; (iii) the address and telephone number of its principal offices and, if applicable, the state in which it is incorporated; and (iv) its principal line(s) of business or activity.
- H. To “identify” an act, event, occurrence, or communication means the following: (i) to state its date; (ii) to identify the persons that were parties to and/or witnesses of the act, event, occurrence, or communication; (iii) to describe where and how it took place; and (iv) to identify any document that constitutes or refers to such act, event, occurrence, or communication.
- I. To “identify” a document means the following: (i) to identify all files in which it and all copies of it are found; (ii) to identify its author; (iii) to identify its addressees, if any; (iv) to identify those persons who received a copy thereof; (v) to identify its current custodian or the person that had last known possession, custody, or control thereof; (vi) to state the date of its preparation; and (vii) to state its general subject matter giving a reasonably detailed description thereof.
- J. “Person” or “Persons” means any natural person, corporation, association, firm, partnership, or other business or legal entity and officers, employees, agents, attorneys, servants or representatives of such entity as the context requires.

### **INSTRUCTIONS**

- A. Pursuant to 16 TAC § 22.144(c)(2), Greenshores requests that answers to the requests for information be made under oath. Each answer should identify the person responsible for preparing that answer (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can vouch for its accuracy.
- B. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced.
- C. These requests are continuing in nature, and should there be a change in circumstances which would modify or change an answer supplied by you, such changed answer shall be submitted as a supplement to your original answer within five working days of acquiring the information, pursuant to 16 TAC § 22.144(i).
- D. Please answer each request and sub-request in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the request.
- E. Greenshores requests that each item of information be made available as it is completed, rather than upon compilation of all information requested.

- H. Pursuant to Tex. R. Civ. P. 196.4, Greenshores specifically requests that any electronic or magnetic data (which is included in the definition of “document”) that is responsive to a request herein be produced in a format that is compatible with Microsoft and be produced with your response to these requests.
- I. The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.
- J. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”
- K. “Any” shall be construed to include “all” and “all” shall be construed to include “any.”
- L. The term “concerning,” or one of its inflections, includes the following meanings: relating to; referring to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.
- M. The term “including,” or one of its inflections, means and refers to “including but not limited to.”
- N. “Relating to,” “regarding,” “concerning” and similar terms mean addressing, analyzing, referring, discussing, mentioning in any way, explaining, supporting, describing, forming the basis for, or being logically or causally connected in any way with the subject of these discovery requests.
- O. “Explain the basis” means provide all information on or describe every fact, statistic, inference, estimate, consideration, conclusion, study, and analysis known to Undine that was relied upon in support of the expressed contention, proposition, conclusion or statement.
- P. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- Q. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- R. Pursuant to 16 TAC § 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- S. If the information requested is included in previously furnished exhibits, workpapers, responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references.
- T. If a data response is available in Excel format, provide the Excel version of the data response.

- U. If any document is withheld under any claim of privilege, please furnish a privilege log identifying each document for which a privilege is claimed, together with the following information: date and title of the document, the preparer or custodian of the information, to whom the document was sent and from whom it was received, subject matter of the document, and an explanation of the basis upon which the privilege is claimed.
- V. Words and phrases used in this request that also are used in the PUC Chapter 24 Rules shall have the same meaning as given to those words and phrases in those rules.

**DOCKET NO. 46150  
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**GREENSHORES ON LAKE AUSTIN POA  
FIRST REQUEST FOR INFORMATION TO UNDINE  
GREENSHORES RFI NO. 1-1 THROUGH 1-8**

- GREENSHORES RFI NO. 1-1** Please identify all affiliates of Undine.
- GREENSHORES RFI NO. 1-2** Please provide the name, address and telephone number for any person who owns any portion of Undine or any of its affiliates.
- GREENSHORES RFI NO. 1-3** Please provide 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.
- GREENSHORES RFI NO. 1-4** For any testifying expert, please provide:
- (i) the expert's name, address and telephone number;
  - (ii) the subject matter on which the expert will testify;
  - (iii) 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;
  - (iv) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
- GREENSHORES RFI NO. 1-5** Please describe in detail whether the retail water and sewer customers' rates for the water and sewer utility systems that are the subject of this proceeding will increase as a result of this transaction.
- GREENSHORES RFI NO. 1-6** Please explain the basis for the 49% increase in "Fees per Meter" shown on unnumbered page 117 of the confidential filings.
- GREENSHORES RFI NO. 1-7** Please explain the basis for your assertion that the "cost per meter" will decrease as a result of this transaction.
- GREENSHORES RFI NO. 1-8** Please describe in detail how you derived the \$1.8 million purchase price?