



Control Number: 46247



Item Number: 121

Addendum StartPage: 0

SOAH DOCKET NO. 473-17-0067.WS
PUC DOCKET NO. 46247

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APPLICATION OF DOUBLE DIAMOND §
PROPERTIES CONSTRUCTION CO. §
DBA ROCK CREEK FOR WATER §
RATE/TARIFF CHANGE §

BEFORE THE STATE OFFICE OF
ADMINISTRATIVE HEARINGS

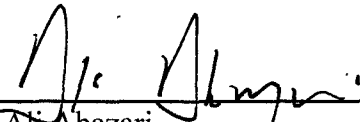
**DOUBLE DIAMOND PROPERTIES CONSTRUCTION CO. D/B/A ROCK CREEK'S
RESPONSE TO ROCK CREEK HOMEOWNERS' SECOND REQUEST FOR
INFORMATION AND FIRST REQUEST FOR ADMISSION TO DOUBLE DIAMOND
PROPERTIES CONSTRUCTION CO.**

To: Rock Creek Homeowners, by and through its attorney, Trey Nesloney, Booth, Ahrens & Werkenthin, P.C., 206 East 9th Street, Suite 1501, Austin, Texas 78701

COMES NOW, Double Diamond Properties Construction Co. d/b/a Rock Creek Resort ("DDPC") and files these Responses to Rock Creek Homeowners' Second Request for Information (Questions RCH No. 2-1 through RCH No. 2-23) and First Request for Admission (Questions RCH RFA No. 1-2 through RCH RFA No. 1-8) to Double Diamond Properties Construction Co. DDPC agrees and stipulates that all parties may treat these responses as if they were filed under oath.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: 

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Mallory Beck
State Bar No. 24076899
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Austin, Texas 78701
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**ATTORNEYS FOR DOUBLE DIAMOND
PROPERTIES CONSTRUCTION CO. D/B/A
ROCK CREEK**

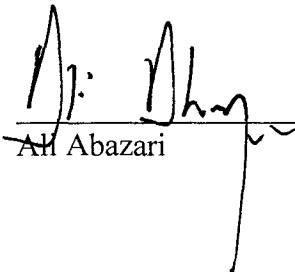
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CERTIFICATE OF SERVICE

This is to certify that on the 17th day of April, 2017, a true and correct copy of the foregoing document was served via hand delivery pursuant to Rule 22.74:

Michael Crnich
Vera Dygert
Attorney-Legal Division
Public Utility Commission of Texas
1701 North Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326
T: (512) 936-7230
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Trey Nesloney
Fred B. Werkenthin, Jr.
Michael J. Booth
Booth, Ahrens & Werkenthin, P.C.
206 East 9th Street, Suite 1501
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Ali Abazari

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APPLICATION OF DOUBLE DIAMOND § BEFORE THE STATE OFFICE OF
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RESPONSE TO ROCK CREEK HOMEOWNERS' SECOND REQUEST FOR
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-1: Please provide tax returns, including all supporting worksheets, for DDCP and affiliates (including Double Diamond of Delaware and Double Diamond Inc) for 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, and 2015.

RESPONSE: Please see the documents enclosed herein and bates labeled DDPC00126-DDPC02400.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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APPLICATION OF DOUBLE DIAMOND	§	BEFORE THE STATE OFFICE OF
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RESPONSE TO ROCK CREEK HOMEOWNERS' SECOND REQUEST FOR
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-2: Please provide income statements, balance sheets, and cash-flow statements for DDCP and affiliates (including Double Diamond of Delaware and Double Diamond Inc) for the year end 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, and 2015.

RESPONSE: Please see the documents enclosed herein and bates labeled DDPC02401-DDPC02742.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-3: Please provide documentation of payments made, in the form of cancelled checks or similar, for all infrastructure claimed in the rate base in this application.

RESPONSE: Please see the documents enclosed herein and bates labeled DDPC02743-DDPC03549.

Sponsored by: Chris Ekrut

**SOAH DOCKET NO. 473-17-0067.WS
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APPLICATION OF DOUBLE DIAMOND PROPERTIES CONSTRUCTION CO. DBA ROCK CREEK FOR WATER RATE/TARIFF CHANGE	§ § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**DOUBLE DIAMOND PROPERTIES CONSTRUCTION CO. D/B/A ROCK CREEK'S
RESPONSE TO ROCK CREEK HOMEOWNERS' SECOND REQUEST FOR
INFORMATION AND FIRST REQUEST FOR ADMISSION TO DOUBLE DIAMOND
PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-4: Please describe in detail how decisions to build additional phases of utility infrastructure in the Rock Creek subdivision are made.

RESPONSE: The decision to build additional phases of utility infrastructure in the Rock Creek subdivision is made when demand for utility services arises through a request for service by a future customer.

Sponsored by: Randy Gracy

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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-5: Who is the developer of the Rock Creek Subdivision?

RESPONSE: Double Diamond, Inc.

Sponsored by: Randy Gracy

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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-6: Does DDPC provide water service to any connection that is not metered and paying for service? If so, please identify those connections.

RESPONSE: No.

Sponsored by: Randy Gracy

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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-7: To the extent not provided pursuant to RCH NO 2-1, provide copies of tax returns for Double Diamond Properties Construction Co., including supporting work-papers, by year, for 2005 through 2016.

RESPONSE: Double Diamond Properties Construction Co. does not file a separate tax return.

Sponsored by: Tim Grout

**SOAH DOCKET NO. 473-17-0067.WS
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RESPONSE TO ROCK CREEK HOMEOWNERS' SECOND REQUEST FOR
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-8: To the extent not provided pursuant to RCH NO 2-1, provide copies of tax Returns for Double Diamond, Inc, including supporting work- papers, by year, for 2005 through 2016.

RESPONSE: Double Diamond, Inc. does not file a separate tax return.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-9 To the extent not provided pursuant to RCH NO 2-1, provide copies of tax returns for Double Diamond – Delaware, Inc, including supporting work-papers, by year, for 2005-2016.

RESPONSE: Please see the documents produced in response to RCH No. 2-1 and bates labeled DDPC00126-DDPC02400. Per the parties' agreement, DDPC will supplement this response with the year 2005.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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APPLICATION OF DOUBLE DIAMOND § BEFORE THE STATE OFFICE OF
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-10 Provide audited financial statements, if they exist, for Double Diamond – Delaware, Inc, by year, for 2005 through 2016.

RESPONSE: Please see the documents enclosed herein and bates labeled DDPC02401-DDPC02632. Per the parties' agreement, DDPC will supplement this response with the year 2005.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-11 Provide audited financial statements, if they exist, for Double Diamond Inc,
by year, for 2005 through 2016.

RESPONSE: There are no audited financial statements for Double Diamond, Inc.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-12 Provide audited financial statements, if they exist, for Double Diamond Properties Construction Co., by year, for 2005 through 2016.

RESPONSE: There are no audited financial statements for Double Diamond Properties Construction Co.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-13 Provide income statements, by year, for Double Diamond – Delaware, Inc,
for 2005 through 2016.

RESPONSE: Please see documents enclosed herein and bates labeled DDPC02633-DDPC02642.
Per the parties' agreement, DDPC will supplement this response with documents
from the year 2005.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-14 Provide income statements, by year, for Double Diamond Inc, for 2005 through 2016.

RESPONSE: Please see documents enclosed herein and bates labeled DDPC02643-DDPC02691.
Per the parties' agreement, DDPC will supplement this response with the year 2005.

Sponsored by: Tim Grout

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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-15 Provide income statements, by year, for Double Diamond Properties Construction Co., for 2005 through 2016.

RESPONSE: Please see documents enclosed herein and bates labeled DDPC02692-DDPC02731.
Per the parties' agreement, DDPC will supplement this response with the year 2005.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-16 Provide end of year balance sheets, by year, for Double Diamond – Delaware, Inc for 2005 through 2016.

RESPONSE: Please see documents produced in response to RCH No. 2-2 and enclosed herein and bates labeled DDPC02732-DDPC02742. Per the parties' agreement, DDPC will supplement this response with the documents from the year 2005.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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RESPONSE TO ROCK CREEK HOMEOWNERS' SECOND REQUEST FOR
INFORMATION AND FIRST REQUEST FOR ADMISSION TO DOUBLE DIAMOND
PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-17 Provide end of year balance sheets, by year, for Double Diamond Inc, for 2005 through 2016.

RESPONSE: There are no end of year balance sheets for Double Diamond, Inc.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-18 Provide end of year balance sheets, by year, for Double Diamond Properties,
by year, for 2005 through 2016.

RESPONSE: There are no end of year balance sheets for Double Diamond Properties Construction
Co.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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RCH NO. 2-19 For the period ending December 2015, please provide a detail of the property, plant, and equipment included in end of year balance sheet, by asset and asset type for Double Diamond – Delaware, Inc. Please include the subdivision in which the asset is located.

RESPONSE: Please see the document enclosed herein and bates labeled in the name of the file as DDPC03550.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-20 For the period ending December 2015, please provide a detail of the property, plant, and equipment included in end of year balance sheet, by asset and asset type for Double Diamond Inc. Please include the subdivision in which the asset is located.

RESPONSE: Please see the documents enclosed herein and bates labeled in the name of the file as DDPC03551.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-21 For the period ending December 2015, please provide a detail of the property, plant, and equipment included in end of year balance sheet, by asset and asset type for Double Diamond Properties Construction Co. Please include the subdivision in which the asset is located.

RESPONSE: Please see the documents enclosed herein and bates labeled in the name of the file as DDPC03552.

Sponsored by: Tim Grout

**SOAH DOCKET NO. 473-17-0067.WS
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APPLICATION OF DOUBLE DIAMOND PROPERTIES CONSTRUCTION CO. DBA ROCK CREEK FOR WATER RATE/TARIFF CHANGE	§ § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-22 Please identify all information removed from Double Diamond's website regarding the Rock Creek Subdivision since the application was filed, August 1, 2017.

RESPONSE: Double Diamond Properties Construction Co. updated its website effective February 15, 2017, by having a new website developed to replace its previous version. Pursuant to Tex. R. Civ. P. 197.2, please see the documents enclosed herein and bates labeled DDPC03553-03571. DDPC will supplement this response.

Sponsored by: David Yates

SOAH DOCKET NO. 473-17-0067.WS
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PROPERTIES CONSTRUCTION CO.**

RCH NO. 2-23 For every item identified in your response to RCH NO. 2-23, please give a brief explanation or reason for its removal from the website and identify the person who made the decision to remove the information.

RESPONSE: David Yates, Director of Marketing, decided it was appropriate to develop a new website to replace the old website related to Rock Creek in order to fully pass markup validity testing of HTML and XHTML, to optimize the website for search engines, and to make it mobile friendly. No specific information was intentionally added, removed, or modified related to water utilities, but all information on the website was reviewed, revised, and updated, as appropriate.

Sponsored by: David Yates

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PROPERTIES CONSTRUCTION CO.**

RCH RFA NO. 1-1 Admit or Deny: Double Diamond, Inc is the developer of the Rock Creek
Subdivision.

RESPONSE: Admit.

Sponsored by: Randy Gracy

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RCH RFA NO. 1-2 Admit or Deny: Rock Creek Resort is the developer of the Rock Creek
Subdivision.

RESPONSE: Deny.

Sponsored by: Randy Gracy

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PROPERTIES CONSTRUCTION CO.**

RCH RFA NO. 1-3 Admit or Deny: Double Diamond – Delaware, Inc is the developer of the Rock Creek Subdivision.

RESPONSE: Deny.

Sponsored by: Randy Gracy

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RCH RFA NO. 1-4 Admit or Deny: Double Diamond Properties Construction Co. does business
as Rock Creek Resort.

RESPONSE: Deny.

Sponsored by: Randy Gracy

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PROPERTIES CONSTRUCTION CO.**

RCH RFA NO. 1-5 Admit or Deny: The Rock Creek Subdivision is the subdivision served by Double Diamond Properties Construction Co as the subject of these proceedings.

RESPONSE: Deny.

Sponsored by: Randy Gracy

SOAH DOCKET NO. 473-17-0067.WS
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RCH RFA NO. 1-6 Admit or Deny: Double Diamond Properties Construction Co., and/or its affiliates, including, but not limited to, Double Diamond, Inc. and Double Diamond – Delaware, Inc.; exercised its option under rules of the Internal Revenue Service to write-off all or a portion of the costs of the water utility system for the Rock Creek Subdivision.

RESPONSE: Deny.

Sponsored by: Tim Grout

SOAH DOCKET NO. 473-17-0067.WS
PUC DOCKET NO. 46247

APPLICATION OF DOUBLE DIAMOND § BEFORE THE STATE OFFICE OF
PROPERTIES CONSTRUCTION CO. §
DBA ROCK CREEK FOR WATER § ADMINISTRATIVE HEARINGS
RATE/TARIFF CHANGE §

**DOUBLE DIAMOND PROPERTIES CONSTRUCTION CO. D/B/A ROCK CREEK'S
RESPONSE TO ROCK CREEK HOMEOWNERS' SECOND REQUEST FOR
INFORMATION AND FIRST REQUEST FOR ADMISSION TO DOUBLE DIAMOND
PROPERTIES CONSTRUCTION CO.**

RCH RFA NO. 1-7 Admit or Deny: Some of the assets included in the rate base in this application were paid for through accounts (such as checking or other similar sources) other than that of Double Diamond Properties Construction Co.

RESPONSE: Deny.

Sponsored by: Tim Grout

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INFORMATION AND FIRST REQUEST FOR ADMISSION TO DOUBLE DIAMOND
PROPERTIES CONSTRUCTION CO.**

RCH RFA NO. 1-8 Admit or Deny: By having water utility services available and installed in the Rock Creek Subdivision, the developer was able to market the lots for a higher price than had the lots not had water utility services available.

RESPONSE: Deny.

Sponsored by: Randy Gracy

SOAH DOCKET NO. 473-17-0067.WS
PUC DOCKET NO. 46247

Double Diamond Properties Construction Co. d/b/a Rock
Creek's Responses to Rock Creek Homeowners' Second
Request for Information and First Request for Admissions

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JW Jackson Walker LLP

April 17, 2017

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DOCKET: SOAH DOCKET NO. 473-17-0067.WS
PUC DOCKET NO. 46247

STYLE: Double Diamond Properties Construction Co. dba Rock Creek Resort
Class B Rate/Tariff Change Application

SUBMITTING PARTY: Double Diamond Properties Construction Co. dba Rock
Creek

BRIEF DESCRIPTION OF CONTENTS: CONFIDENTIAL/PROTECTED
MATERIAL responsive to Rock Creek Homeowners' Second Request for
Information relating to financial information.

BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE: DDPC00126-
02400, DDPC02404-02418, DDPC02422-02438, DDPC02442-02458, DDPC02463-02482,
DDPC02486-02505, DDPC02510-02532, DDPC02537-02557, DDPC02562-02583,
DDPC02588-02606, DDPC02611-02632, DDPC02404-02418, DDPC02422-02438, DDPC
02442-02458, DDPC02463-02482, DDPC02486-02505, DDPC02510-02532, DDPC02537-
02557, DDPC02562-02583, DDPC02588-02606, DDPC02611-02632, DDPC02633-02642,
DDPC02643-02691, DDPC02692-02731, DDPC02732-02742, DDPC02743-03549,
DDPC03550-03552

ENVELOPE # 1 OF 1

ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER: NA

DATE SUBMITTED TO COMMISSION: April 17, 2017

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CONFIDENTIAL/PROTECTED MATERIAL
Double Diamond Properties Construction Co. d/b/a Rock Creek's
Responses to Rock Creek Homeowners' Second Request for
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