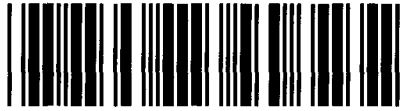


Control Number: 46441



Item Number: 7

Addendum StartPage: 0

**DOCKET NO. 46441**

RECEIVED

**APPLICATION OF TERRA  
SOUTHWEST, INC. TO AMEND A  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY IN DENTON  
COUNTY**

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§

**PUBLIC UTILITY COMMISSION**

**OF TEXAS**

2016 NOV 22 PM 2:33  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
TERRA SOUTHWEST, INC (TERRA)  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2**

Pursuant to 16 TAC § 22.144 of the Commission's Procedural Rules, the Staff of the Public Utility Commission of Texas (Staff) requests that Terra Southwest, Inc. (Terra) by and through its attorneys of record, 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.

Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.

7


Dated: November 22, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director-Legal Division

Karen S. Hubbard  
Managing Attorney - Legal Division

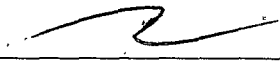
  

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Landon J. Lill  
State Bar No. 24092700  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7228  
(512) 936-7268 (facsimile)

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on November 22, 2016 in accordance with 16 TAC § 22.74.

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Landon J. Lill

**DOCKET NO. 46441**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
TERRA SOUTHWEST, INC (TERRA)  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2**

**DEFINITIONS**

- A. **"Terra, "the Company" or "you"** refers to the Terra Southwest, Inc. and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
  
- B. **"Document"** includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do not exist and these documents will be provided.

**DOCKET NO. 46441**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
TERRA SOUTHWEST, INC (TERRA)  
QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2**

**INSTRUCTIONS**

- 1) Pursuant to P.U.C. Proc. R. 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. 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.
- 3) These questions 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.
- 4) 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.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to P.U.C. Proc. R. 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

# DOCKET NO. 46441

## COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO TERRA SOUTHWEST, INC (TERRA) QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2

Staff 1-1 Please confirm the following list the violations of Texas Commission on Environmental Quality (TCEQ) violations is complete and accurate:

|            |        |   |  |          |    |
|------------|--------|---|--|----------|----|
| 0/07/2016  | ACTIVE | 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K) (Not applicable to CH)   | Failure to provide and maintain a well casing vent with an opening that is covered with 16-mesh or finer corrosion-resistant screen on the wells. EIC C4 MIN(3)(D)   | MINOR    | NO |
| 10/07/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter D 290.46(s)(1) (Not applicable to CH)  | Failure to calibrate the well meter at least once every three years. EIC B1 MOD(2)(E)  | MODERATE | NO |
| 10/07/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(i)(III) (Not applicable to CH)   | Failure to monitor and record the amount of chemical used weekly. EIC B3 MOD(2)(B)   | MODERATE | NO |
| 10/07/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K) (Not applicable to CH)   | Failure to maintain an up to date plant operations manual. EIC C3 MIN(3)(C)  | MINOR    | NO |
| 10/07/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E) ; 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(iv) ; 30 TAC Chapter 290, SubChapter D 290.46(j) (Not applicable to CH)   | Failure to maintain copies of the customer service inspection forms. EIC B3 MOD(2)(B)  | MODERATE | NO |
| 10/07/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.121(a) (Not applicable to CH)  | Failure to maintain a copy of the monitoring plan. EIC B3 MOD(2)(B)  | MODERATE | NO |
| 08/09/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(A) ; 30 TAC Chapter 290, SubChapter F 290.117(h) ; 30 TAC Chapter 290, SubChapter F 290.117(i)(1) (Not applicable to CH)   | LCR RT MR 1st 6M2016 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the routine six-month monitoring period from 01/01/2016 to 06/30/2016 within the required timeline.  | MODERATE | NO |
| 07/14/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) ; 30 TAC Chapter 290, SubChapter F 290.110(e)(5) ; 30 TAC Chapter 290, SubChapter F 290.110(f)(2) ; 30 TAC Chapter 290, SubChapter F 290.110(f)(3) (Not applicable to CH) | DLQOR MR 1Q2016 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the 1st quarter of 2016 within the required timeline.   | MODERATE | NO |
| 01/29/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) ; 30 TAC Chapter 290, SubChapter F 290.122(f) (Not applicable to CH)  | DLQOR MR PN 2Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the 2nd quarter of 2015. | MODERATE | NO |

|            |        |   |  |          |    |
|------------|--------|---|--|----------|----|
| 03/16/2015 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A) ; 30 TAC Chapter 290, SubChapter F 290.122(f) (Not applicable to CH)  | LCR RD MR PN 3Y2014 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a distribution-lead and copper reduced monitoring and reporting violation for the triennial reduced monitoring period from 01/01/2012 to 12/31/2014. | MODERATE | NO |
| 01/29/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.117(i)(6) ; 30 TAC Chapter 290, SubChapter F 290.117(j) (Not applicable to CH)   | LCR LCN - The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during the reduced monitoring period from 01/01/2015 to 12/31/2015.   | MODERATE | NO |
| 01/07/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.117(i)(5) ; 30 TAC Chapter 290, SubChapter F 290.117(k) (Not applicable to CH)   | LCR PE - The system failed to deliver the public education materials in accordance with TCEQ rules 290.117(k)(4) 290.117(i)(5) after exceeding the lead action level during the reduced monitoring period from 01/01/2015 to 12/31/2015.   | MODERATE | NO |
| 06/02/2016 | ACTIVE | ; 30 TAC Chapter 290, SubChapter F 290.117(f)(3)(A) ; 30 TAC Chapter 290, SubChapter F 290.117(i)(7) (Not applicable to CH)   | LCR OCCT - The system failed to submit the Optimal Corrosion Control Treatment (OCCT) Recommendation in accordance with TCEQ rules after exceeding the lead action level during the reduced monitoring period from 01/01/2015 to 12/31/2015 plus 180 days.   | MODERATE | NO |
| 06/02/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.117(g)(2)(A) ; 30 TAC Chapter 290, SubChapter F 290.117(i)(7) (Not applicable to CH)   | LCR SOWT - The system failed to submit the Source Water Treatment Recommendation for alternative treatment including ion exchange, reverse osmosis, lime softening, coagulation/filtration, or none from the end of the reduced monitoring period from 01/01/2015 to 12/31/2015 plus 180 days.   | MODERATE | NO |
| 04/29/2016 | ACTIVE | 30 TAC Chapter 290, SubChapter F 290.117(d)(2)(A) ; 30 TAC Chapter 290, SubChapter F 290.117(h) ; 30 TAC Chapter 290, SubChapter F 290.117(i)(2) (Not applicable to CH) | LCR SOWT MR - The system failed to monitor for source water treatment in accordance with TCEQ rules after exceeding the lead action level during the reduced monitoring period from 01/01/2015 to 12/31/2015 plus 180 days.  | MODERATE | NO |

Staff 1-2 Please describe the facts surrounding each unresolved TCEQ violations? Please include in your response the date(s) you expect each violation to be resolved.