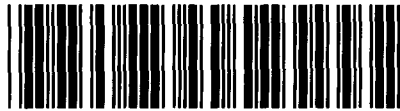


Control Number: 46662



Item Number: 488

Addendum StartPage: 0

PUC DOCKET NO. 46662  
SOAH DOCKET NO. 473-17-4964.WS

2018 AUG -9 PM 2:42

PETITION OF THE CITIES OF  
GARLAND, MESQUITE, PLANO,  
AND RICHARDSON APPEALING  
THE DECISION BY NORTH TEXAS  
MUNICIPAL WATER DISTRICT  
AFFECTING WHOLESALE WATER  
RATES

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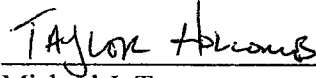
BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

THE PETITIONING CITIES' FIRST SUPPLEMENTAL RESPONSE TO THE NORTH  
TEXAS MUNICIPAL WATER DISTRICT'S FOURTH REQUEST FOR  
INFORMATION, THIRD REQUEST FOR ADMISSION, AND FIRST REQUEST FOR  
PRODUCTION TO THE PETITIONING CITIES

The Cities of Garland, Mesquite, Plano, and Richardson (the "*Petitioning Cities*") file the following response to the Fourth Request for Information ("*RFI*"), Third Request for Admission ("*RFA*"), and First Request for Production ("*RFP*") from the North Texas Municipal Water District ("*NTMWD*" or the "*District*"). The Petitioning Cities stipulate that the following responses may be treated as if filed under oath. Where the Petitioning Cities indicate that voluminous information is being produced, the Petitioning Cities will make such information available for review by appointment during normal business hours at the Austin office of Vinson & Elkins pursuant to P.U.C. PROC. R. 22.144(c)(2)(E) and 22.144(h)(2). To make an appointment to review such information, please call Doris Parker at 512-542-8515.

Date: August 9, 2018

Respectfully submitted,



\_\_\_\_\_  
Michael J. Tomsu  
State Bar No. 20125875  
Taylor Holcomb  
State Bar No. 24074429  
VINSON & ELKINS LLP  
2801 Via Fortuna, Suite 100  
Austin, Texas 78746  
512-542-8527  
512-236-3211 (Fax)

Barry Smitherman  
State Bar No. 18770600  
BARRY SMITHERMAN, P.C.  
P.O. Box 163805  
Austin, Texas 78716  
512-652-8949  
512-330-0182 (Fax)

*Attorneys for the Petitioning Cities*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon all parties of record via e-mail, regular mail, hand-delivery, or fax on this 9th day of August, 2018.



\_\_\_\_\_  
Taylor Holcomb

**NTMWD RFI 4-3**

For each Petitioning City, has the city's fact witness (Messrs. Baker, Johnson, Dittman, Glasscock) communicated with the Petitioning City's appointed board members in the last five years? If so, produce copies of all communications and describe the subject matter that was addressed.

**Supplemental Response:**

The City of Plano is producing additional documents responsive to this request. These documents are voluminous, as noted on the attached voluminous index.

As requested by the District's counsel, additional documents responsive to this request are being produced in response to RFP 1-15 under the protective order.

**Responsible Person:** Bruce Glasscock (Plano)

**Supplemental Voluminous Index**

<b>Item No.</b>	<b>Description</b>	<b>Page Count</b>
1	Emails from Bruce Glasscock to Board Members	480

**NTMWD RFI 4-58**

Please refer to Rebuttal Testimony filed by Bruce Glasscock on the following pages: Page 11, line 15 – Page 13, line 9.

Please identify the members of the NTMWD Board of Directors that were appointed by the City of Plano during the following years:

- a. 2016
- b. 2017
- c. 2018

**Supplemental Response:**

The City of Plano modifies its previously provided response and responds as follows:

- a. Rod Hogan
- b. Phil Dyer
- c. Rod Hogan

**Responsible Person:** Bruce Glasscock (Plano)

**NTMWD RFI 4-63**

What, in the opinion of each Petitioning City, is the appropriate way for an appointed Board Member(s) to balance the interests of the District and the appointing Member City?

**Supplemental Response:**

The City of Garland modifies its previously provided response and responds as follows:

The City of Garland believes that its appointees to the Texas Municipal Power Agency ("TMPA") provide a good example of balancing the interests of the City and the TMPA.

**Responsible Person:** John Baker (Garland)

**NTMWD RFP 1-8**

Please refer to Rebuttal Testimony filed by Bruce Glasscock on the following pages: Page 11, line 15 – Page 13, line 9.

Please produce copies of the agendas, committee reports, and resolutions related to the appointment of the members of the NTMWD Board of Directors that were appointed by the City of Plano during the following years.

- a. 2016
- b. 2017
- c. 2018

**Supplemental Response:**

The City of Plano is producing an additional document responsive to this request reflecting that Rod Hogan was reappointed to the NTMWD Board of Directors in May 2018.

**Responsible Person:** Bruce Glasscock (Plano)



**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
May 14, 2018**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Rick Grady, Mayor Pro Tem  
Ron Kelley, Deputy Mayor Pro Tem  
Angela Miner  
Anthony Ricciardelli  
Kayci Prince  
Tom Harrison – arrived at 5:01 p.m.  
Rick Smith

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Mark Israelson, Senior Deputy City Manager  
Jim Parrish, Deputy City Manager  
Jack Carr, Deputy City Manager  
Brandi Youngkin, Assistant City Manager  
Paige Mims, City Attorney  
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, May 14, 2018, in the Senator Florence Shapiro Council Chambers of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere then stated that the Council would retire into Executive Session, in Training Room A, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney and receive Legal Advice, Section 551.071; to receive information regarding Economic Development, Section 551.087; to discuss Real Estate, Section 551.072; and to discuss Personnel, Section 551.074; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 5:45 p.m. in the Senator Florence Shapiro Council Chambers.

- **Consideration and action resulting from Executive Session discussion**

- **Personnel – Reappointment**

- **North Texas Municipal Water District Board**

- Upon a motion made by Mayor Pro Tem Grady and seconded by Deputy Mayor Pro Tem Kelley, the Council voted 8-0 to reappoint Rod Hogan.

- **Report on withdrawal of Envision Oak Point Plan**
- **Comprehensive Monthly Financial Report – March 2018**
- **Public Works Departmental Presentation (Environmental Waste and Fleet Divisions)**
- **Facilities Departmental Presentation**
- **Engineering Compliance – ADA Small Cell Presentation**

Plano City Council  
Preliminary Open Meeting  
May 14, 2018

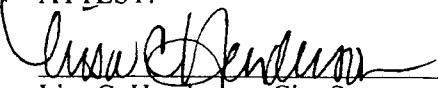
Page 2

- **Consent and Regular Agendas**
- **Council items for discussion/action on future agendas**

With no further discussion, the Preliminary Open Meeting was adjourned at 6:57 p.m.

  
\_\_\_\_\_  
**Harry LaRosiliere, MAYOR**

ATTEST:

  
\_\_\_\_\_  
Lisa C. Henderson, City Secretary

**NTMWD RFP 1-15**

Please produce all documents and correspondence in your possession related to:

- a. The issues addressed in the Rebuttal Testimony of Bruce Glasscock at page 13, lines 2-3;
- b. The issues addressed in confidential Exhibit BG-R3 in the Rebuttal Testimony of Bruce Glasscock; and
- c. The issues addressed in the Rebuttal Testimony of Bruce Glasscock at page 12, line 18 through page 13, line 1.

The District requests that any documents produced in response to RFP 1-15(a) and (b) be produced confidentially pursuant to the Protective Order issued in this case. Please produce a privilege log for any responsive privileged materials.

**Supplemental Response:**

- a. At the request of the District's counsel, the City of Plano is producing an additional responsive document under the protective order. The Petitioning Cities reserve the right to challenge this designation in the future.

**Responsible Person:** Bruce Glasscock (Plano)