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APPLICATION OF VINEYARD
RIDGE, LLC TO OBTAIN A WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN GILLESPIE
COUNTY

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PUBLIC UTILITY COMMISSION
OF TEXAS

JOHN MCRAE'S PROPOSED LIST OF ISSUES

Comes now, John McRae (McRae) and files this proposed list of issues and would show the following:

I. BACKGROUND

On March 15, 2017, Vineyard Ridge, LLC (Vineyard Ridge) filed its Application with the Public Utility Commission (the Commission) for a new water certificate of convenience and necessity (CCN) in Gillespie County. On August 11, 2017, McRae filed his motion to intervene and request for public hearing, which the Commission granted on August 29, 2017.

In its Order of Referral to the State Office of Administrative Hearings (SOAH) on August 30, 2017, the Commission set a deadline of August 13, 2017 for interested parties to file a list of issues to be addressed in this docket. McRae hereby timely files his list of proposed issues to be addressed.

II. LIST OF ISSUES

1. Does Vineyard Ridge possess the financial, managerial, and technical capability to provide continuous and adequate service, as required by Texas Water Code (TWC) § 13.241(a) and 16 Tex. Admin. Code (TAC) § 24.102(a)?
2. Does Vineyard Ridge possess a TCEQ-approved system capable of providing drinking water that meets the requirements of Texas Health and Safety Code, Chapter 341 and TCEQ rules as required by TWC § 13.241(b) and 16 TAC § 24.102(a)(1)?
3. Does Vineyard Ridge have access to an adequate supply of water to serve the certificated area, as required by TWC §13.241(b)(2) and 16 TAC § 24.102(a)(1)?

4. If the proposed service area requires construction of a physically separate water system, has Vineyard Ridge demonstrated that regionalization or consolidation with another retail public utility is not economically feasible, as required by TWC § 13.241(c) and 16 TAC § 24.102(b)?
5. Has Vineyard Ridge shown under TWC § 13.246(c)(2) and 16 TAC § 24.102(d)(2) the need for additional service in the requested area, and have any landowners, prospective landowners, tenants, or residents requested service?
6. What would be the effect, under TWC § 13.246(c)(3) and 16 TAC § 24.102(d)(3), of granting the CCN on:
 - a. The landowners in the area; and
 - b. On any retail public utility of the same kind already serving the proximate area?
7. Is Vineyard Ridge able, under TWC § 13.246(c)(4) and 16 TAC § 24.102(d)(4), to provide adequate service, including meeting the standards of the TCEQ and the Commission, taking into consideration the current and projected density and land use of the requested area?
8. Is Vineyard Ridge financially capable, under TWC § 13.246(c)(6) and 16 TAC § 24.102(d)(6), of paying for the facilities necessary to provide continuous and adequate service, and if applicable, is its debt-equity ratio adequate?
9. What would be the effect of granting the CCN on environmental integrity under TWC § 13.24(c)(7) and 16 TAC § 24.102(d)(7)?
10. What would be the effect of granting the CCN on the land to be included in the certificated area under TWC § 13.24(d)(9) and 16 TAC § 24.102(d)(9)?
11. Should the Commission require Vineyard Ridge to provide a bond or other financial assurance to ensure that continuous and adequate retail water service is provided, pursuant to TWC § 13.246(d) and 16 TAC § 24.102(e)?

III. ISSUES NOT TO BE ADDRESSED

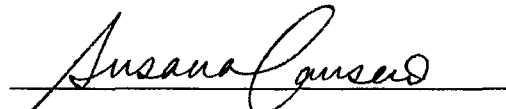
McRae has not identified any issues not to be addressed.

IV. NO WAIVER

By filing this proposed list of issues, McRae has not waived his right to raise and address other issues not included here, as they may arise and as he finds necessary.

Respectfully Submitted,

Susana E. Canseco
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A handwritten signature in cursive script, reading "Susana Canseco", is written over a horizontal line.

SUSANA E. CANSECO
State Bar No. 24047829

CLINT BUCK
State Bar No. 24078280

CERTIFICATE OF SERVICE

I, Susana E. Canseco, attorney for applicant VM Neighbors Water Group, certify that a copy of this document was served on all parties of record in this proceeding on the 2nd day of September, 2017 in accordance with 16 TAC § 22.74.

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