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SOAH DOCKET NO. 473-17-3320.WS  
Docket No. 46439

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COMPLAINT OF WES ANDERSON, et al., § BEFORE THE STATE OFFICE OF  
against QUADVEST LP, QUADVEST INC., § PUBLIC UTILITY COMMISSION  
RANCH UTILITIES CORP., and RANCH § FILING CLERK  
UTILITIES, L.P. § ADMINISTRATIVE HEARINGS

SOAH DOCKET NO. 473-17-5772.WS  
Docket No. 47279

COMPLAINT OF WES ANDERSON, et al., § BEFORE THE STATE OFFICE OF  
against QUADVEST LP, QUADVEST INC., §  
RANCH UTILITIES CORP., and RANCH § ADMINISTRATIVE HEARINGS  
UTILITIES, L.P. §

COMPLAINANTS' FIRST REQUEST FOR INFORMATION TO QUADVEST  
QUESTION NOS. 1-1 THROUGH 1-23

TO: QUADVEST, LP, QUADVEST, INC., RANCH UTILITIES CORP and RANCH UTILITIES, L.P., by and through their attorney of record, Tammy Wavle Shea, Cozen O'Connor, 1221 McKinney, Suite 2900, Houston, Texas 77010.

Pursuant to 16 Tex. Admin. Code (TAC) § 22.144, Complainants request that QUADVEST, LP, QUADVEST, INC., RANCH UTILITIES CORP and RANCH UTILITIES, L.P. ("Quadvest") by and through its attorneys of record, provide the following information and answer the following questions under oath. The questions 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 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. 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.

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Respectfully Submitted,

HANSZEN LAPORTE, LLP

By: /s/ Daniel R. Dutko

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Attorneys for Complainants

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was sent to all interested parties, by and through their counsel of record on this 4<sup>th</sup> day of December, 2017.

Mr. Alexander Petak ***Via Facsimile (512) 936-7268***

Public Utility Commission of Texas, Legal Division

1701 N. Congress Ave.

P.O. Box 13326

Austin, Texas 78711-3326

Ms. Tammy W. Shea ***Via Facsimile (832) 214-3905***

Cozen O'Connor

1221 McKinney, Suite 2900

Houston, Texas 77010

Attorney for Quadvest

/s/ Daniel R. Dutko

Daniel R. Dutko

## INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Complainants request 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 16 TAC § 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Complainants request that each item of Information be made available as it is completed, rather than upon completion of all information requested.

## DEFINITIONS AND ABBREVIATIONS

Complainants set forth the following definitions of various words and phrases which are contained in the following Requests for Information and provide the following definitions for the purpose of clarifying the meaning of certain words and phrases contained herein in order to expedite discovery. The definitions and abbreviations are as follows:

“Quadvest”	means Quadvest LP., and Ranch Utilities, LP including all subsidiaries, affiliates, parent companies, all directors, officers, employees, agents, independent contractors, or representatives of such person or entity, including all other natural persons or businesses or legal entities acting or purporting to act for or on behalf of the person or entity to whom these requests for Information are directed including all named Defendants.
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“Smart Meters” means the smart water meters installed by Quadvest as referenced and identified in the PUC Docket No. 46439.

“PUC” means the Public Utility Commission of Texas.

“Document(s)” - this word refers to any material or any medium on which or by which "information" is recorded, including papers (of any kind or character), photographs, moving pictures, video tapes, and any method or medium by which "information" is utilized by computers. A "request" should be deemed to include a request for a copy of any and all "studies", "reports", memos, inter-office communications or writings by whatever name called which relates to the "document(s)" specifically including:

1. any material which was used in the preparation of any such "documents";
2. any and all attachments to such "documents";
3. any and all items referred to in such "document(s)"; and,
4. any and all subsequent additions, deletions, substitutions, amendments or modifications to the original of such "document(s)".

If any document requested to be identified was, but is no longer in existence, state whether it is:

1. missing or lost;
2. destroyed;
3. transferred voluntarily or involuntarily to others, and if so, to whom, and/or;
4. otherwise disposed of, and in each instance, explain the circumstances surrounding and authorization of such disposition thereof, state the appropriate date thereof and describe its contents.

"Identify" -the word "identify" means to provide the following "information":

1. With regard to natural persons, state the full name, last known telephone number and last known address of the person; the name, address and telephone number of the employer of such person; if "you" have a business relationship, direct or indirect with such

person, or his employer, state the nature of such business relationship.

2. With respect to any entity, which is not a natural person, state the name, telephone number and last known address of such entity and state the nature of the business activity of such entity; if "you" have any business relationship with such entity, either direct or indirect, state the nature of such relationship.

"Information"	-this term should be construed in the broad sense. It includes reference to both facts and applicable principles. This word should not be construed to be limited by any method of acquisition or compilation and, therefore, includes oral information as well as "documents" as defined herein.
"Person(s)"	-means natural persons, corporation, partnerships, sole proprietorships, associations, or any other kind of entity, including any agents, servants and employers or employees.
"Record(s)"	-this word refers to charts, tables, graphs or other similar compilations of documents, including engineering or statistical data in a graphic, digital analog, or other format.
"Request(s)"	-the word "request(s)" as used herein refers to any formal request for "documents" or "information".
"Study" or "studies"	-the word "study" or "studies" should include any research, analysis, or examination, investigation, testing or other activity by which information is acquired and/or utilized. These words refer to any activity performed by or on behalf of "you". The term "study" or "studies" include such analysis, engineering analysis of "hazards", cost/benefit analysis, quality assurance analysis or any other activity by which information is acquired or compiled for reference or application.

The terms "study" or "studies" specifically include any and all statistical "documents" reflecting:

1. the actual occurrence, or the likelihood of injuries or damages resulting from accidents involving the type of drilling rig operated by Defendant in furtherance of its business; and,
2. the statistical data concerning the actual number of accidents.

"You, "your(s)"

or

"Your company" -shall mean the person to whom these questions and requests are directed as well as employers, agents, employees, attorneys, investigators, beneficiaries and all other "persons" acting for or on behalf of said "person"

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COMPLAINANTS FIRST REQUEST FOR INFORMATION TO QUADVEST  
QUESTION NOS. 1-1 THROUGH 1-23

1-1 Identify the persons answering these requests, or assisting by gathering information to answer these requests, including names, job titles, and job responsibilities.

1-2 Identify all Quadvest customers in Magnolia, Texas, Pinehurst, Texas, or Cypress, Texas who received Smart Meters in 2016, including the name and address of the customers, the date of the installation of the Smart Meter, and the type of Smart Meter.

1-3 Set forth the policies and procedures of the employees, staff, and representatives of Quadvest related to installing, monitoring, testing, and maintaining Smart Meters.

1-4 Produce all documents in your possession, custody or control regarding Quadvest's policies and procedures related to installing, monitoring, testing, and maintaining Smart Meters.

1-5 Identify all complaints made by Quadvest customers (since 2015), to Quadvest or to the PUC, regarding installation of Smart Meters, related to increases in usage readings, or billing after such installation. Please identify them by name, date of the complaint, and if applicable, PUC Docket Number.

1-6 Produce all documents related to the complaints (referenced in your response to request number 1-5) made by Quadvest customers (since 2015), to Quadvest or to the PUC, regarding installation of Smart Meters, related to increases in usage readings, or billing after such installation.

1-7 Were any investigations conducted by Quadvest regarding the customer complaints referenced in your response to Request 1-5? If so, please identify the people involved in the investigation – including their title and role in the investigation – and identify any documents or correspondence in any way related to the investigation. Also please describe, in detail, what the investigation found, and conclusions reached, and whether Quadvest changed any policies or procedures after the investigation, modified the Smart Meters after the investigation, or whether Quadvest notified any of its customers of the investigation.

1-8 Produce all documents that pertain to the investigations referenced in your response to Request number 1-7.

1-9 Identify the company, companies, or individuals who installed all of Quadvest's Smart Meters, including full corporate name, principal address, and telephone number.

1-10 Quadvest has alleged that it hired an independent third party to perform a sampling of the advanced meters at issue, and the sample meters were found to be on average 99.2% accurate. Please produce all documents and records pertaining to the sampling performed, all correspondence between the "independent third party" and Quadvest regarding the sampling, and all sampling protocols.

1-11 Quadvest has alleged the actual usage for many of the Complainants is entirely consistent with prior usage and weather patterns. Please produce all documents in your possession that you contend support this assertion.

1-12 Quadvest alleged, prior to shipment, every meter was tested by Master Meter and found to be accurate within American Water Works Association (AWA) standards. Please produce all documents in your possession that support this assertion, including the testing documents for every named Complainant.

1-13 Quadvest has alleged, Quadvest retained an independent third party (Southern Flowmeter, Inc.) to perform a sampling of the advanced meters at issue in this Complaint, and the testing found the meters to be accurate and consistent with AWA standards. Please produce all documents in your possession that support this assertion including the sampling and testing documents from Southern Flowmeter, Inc.

1-14 Quadvest has alleged Quadvest retained an independent third party (Southern Flowmeter, Inc.) to perform a sampling of the advanced meters at issue in this case, and the testing found the meters to be accurate and consistent with AWA standards. Please produce all correspondence between Quadvest and Southern Flowmeter, Inc., regarding the sampling, the parameters of the sampling, the protocols and procedures to be followed, and which meters should be tested.

1-15 Quadvest has alleged that many of the residences at issue in this Complaint are large acreage lots with multi zone irrigation systems. Please produce all documents and evidence that supports the claim that many of the residences of the named Complainants are large acreage lots with multi zone irrigation systems.

1-16 Produce all documents which evidence Quadvest notified the Complainants that it was raising the pass through tariff from \$1.93 per 1,000 gallons to \$2.60 per 1,000 gallons.



1-17 Produce all contracts between Quadvest and all of the named Complainants, setting forth a pass through fee of \$2.60 per 1,000 gallons.

1-18 Produce all documents showing the "Commission approved pass through tariff reflects a pass through fee of \$2.60 per 1,000 gallons", as set forth by you in response to this PUC complaint.

1-19 How many of Quadvest's customers currently have smart meters?

1-20 Please provide all testing requirements, testing information and QC data provided by Master Meter, pertaining to the smart meters installed at each Complainants' property.

1-21 Please provide any and all documentation you have concerning any testing performed on the Complainants' smart meters, including the QC data for each of Complainants' meters.

1-22 Please provide copies of any notices given to Complainants, that their meters would be changed, including the date on which the changes would take place, and the date on which the notices were provided.

1-23 Please provide water usage data for each of the Complainants' addresses, from June, 2015 to the present, including , if applicable, the date during that time frame, that the Complainant became the account holder.