



Control Number: 47288



Item Number: 34

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SOAH DOCKET NO. 473-17-5910.WS
PUC DOCKET NO. 47288

RATEPAYERS' APPEAL OF THE
DECISION BY THE WEST WISE
SPECIAL UTILITY DISTRICT TO
CHANGE RATES

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§

2017 OCT -4 PM 4
BEFORE THE STATE OFFICE
FILING CLERK
ADMINISTRATIVE HEARINGS

**WEST WISE SPECIAL UTILITY DISTRICT'S
SECOND SET OF REQUEST FOR INFORMATION TO SHARON BOYETTE**

TO: Sharon Boyette, 103 CR 1641, Chico, Texas 76431
Via e-mail: texasbayoulady@att.net and certified mail, return receipt requested.

Pursuant to PUC Proc. Rules 22.141 and 22.144, West Wise Special Utility District ("West Wise SUD") hereby files its Second Set of Requests for Information ("RFIs") to Sharon Boyette. Responses to the RFIs set forth in Exhibit "A" hereto should be served on the undersigned counsel for West Wise SUD at the address indicated within twenty (20) days of service hereof. Exhibit "A" is attached hereto and incorporated herein for all purposes.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: 

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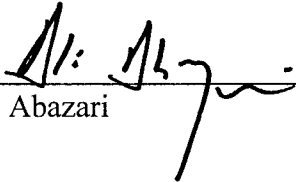
ATTORNEYS FOR WEST WISE
SPECIAL UTILITY DISTRICT

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of October, 2017, a true and correct copy of the foregoing document was served on the individuals listed below by hand delivery, email, facsimile or First Class Mail.

Sharon Boyette
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Ali Abazari

EXHIBIT "A"

INSTRUCTIONS

1. Your responses should conform to the Texas Rules of Civil Procedure and/or the rules of procedure of the Public Utility Commission of Texas.
2. Each document that is made available for review in response to these RFIs shall be produced as it is kept in the usual course of business (i.e., in the file folder or binder in which the documents were located when the request was served) or the documents shall be organized or labeled to correspond to the category of documents requested.
3. If the documents requested herein include electronic data and magnetic data, they shall be produced in their native format with all metadata intact.
4. When answering these RFIs, you are requested to furnish all information available to you, including information in the possession of your attorneys, investigators, consultants, employees, agents, representatives, or any other person acting on your behalf, and not merely such information as is held or known by you personally.
5. In the event any document or other thing referred to in these RFIs is not in your possession, custody, or control, specify what disposition was made of it and identify the person or entity who now has possession, custody, or control of the document or thing.
6. If you withhold any requested documents or information — including redactions of portions of documents — pursuant to an applicable privilege, provide a privilege log describing the documents, communications, or things withheld or redacted with sufficient specificity that the applicability of the privilege or protection may be assessed. *See* TEX. R. CIV. P. 193.3.
7. PLEASE TAKE FURTHER NOTICE that these RFIs are continuing in nature. Your answers and responses must include all documents that are currently in your possession, custody, and control and that come into your possession, custody, or control in the future.

DEFINITIONS

The following definitions apply herein unless otherwise indicated by the content or expressly stated:

1. The words “and” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these discovery requests any response or document that might be deemed outside its scope by another construction.
2. “Communication” shall mean and include every manner or means of transmittal, disclosure, transfer, or exchange of information, and every form of transmission, disclosure, transfer or exchange of information, whether orally, electronically, or by document and whether face-to-face, by telephone, mail, personal delivery, by computer or otherwise.
3. “Describe” or “describe in detail” means to give a complete and full description concerning the matter about which the inquiry is made, including the full name, address, and telephone number(s) of the person(s) involved, dates, times, places, and other particulars, including all relevant documents and observations, which make the answers to these written discovery requests fair and meaningful.
4. “Document” means any documents or tangible items made discoverable by Rule 192.3 of the Texas Rules of Civil Procedure, and includes all originals and non-identical copies of any and all documents, papers, books, accounts, writings, drawings, graphs, charts, maps, surveys, photographs, electronic or videotape recordings, electronic mail (e-mail), phone records, recordings, other data compilations from which information can be obtained and translated, if necessary, by you into reasonably useable form and tangible things.
5. To “identify” an individual means to state the following about that individual: (i) the person's full name; (ii) the person's job title or former job title; (iii) the person's job (or former job) duties and responsibilities; (iv) the individual's superior(s); (v) current or last known telephone number(s); and (vi) current or last known business and home addresses.
6. To “identify” a person as defined herein other than an individual means to provide the following information: (i) the entity's full and correct legal name; (ii) the nature of the entity's structure and/or organization; (iii) the address and telephone number of its principal offices and, if applicable, the state in which it is incorporated; and (iv) its principal line(s) of business or activity.
7. To “identify” an act, event, occurrence, or communication means the following: (i) to state its date; (ii) to identify the persons that were parties to and/or witnesses of the act, event, occurrence, or communication; (iii) to describe where and how it took place; and (iv) to identify any document that constitutes or refers to such act, event, occurrence, or communication.
8. To “identify” a document means the following: (i) to identify all files in which it and all copies of it are found; (ii) to identify its author; (iii) to identify its addressees, if any; (iv)

to identify those persons who received a copy thereof (v) to identify its current custodian or the person that had last known possession, custody, or control thereof (vi) to state the date of its preparation; and (vii) to state its general subject matter giving a reasonably detailed description thereof.

9. "Person" or "Persons" means any natural person, corporation, association, firm, partnership, or other business or legal entity and officers, employees, agents, attorneys, servants or representatives of such entity as the context requires.
10. "Proceeding" refers to these dockets, which are State Office of Administrative Hearings SOAH Docket No. 473-17-5910.WS and PUC Docket No. 47288.
11. "Rate" has the same meaning as defined by Texas Water Code § 13.002(17).
12. "Relate" or "relating to" means making or including a statement about, discussing, describing, reflecting, consisting of, constituting, comprising or in any way concerning in whole or in part the subject or thing.
13. "Service" has the same meaning as defined by Texas Water Code § 13.002(21).
14. "Statement" shall mean and include any written or graphic statement signed or otherwise adopted or approved by the user in making it, and stenographic, mechanical, electrical or other recording or transcription thereof which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.
15. "PUC" or "Commission" refers to the Public Utility Commission of Texas and all predecessor agencies with similar responsibilities.

REQUESTS FOR INFORMATION

- RFI NO. 2-2:** Produce all documents, including writings, drawings, graphs, charts, maps, photographs, or other tangible items intended to be used by you as exhibits, including demonstrative exhibits, in the contested case hearing..
- RFI NO. 2-3:** Identify all witnesses you expect to call to testify at the hearing in this case, including, but not limited to, rebuttal and impeachment witnesses, whose testimony can reasonably be anticipated to be necessary. *See* Tex. R. Civ. P. 192.3(d).
- RFI NO. 2-4:** For each person identified in your answer to RFI 2-3, please provide a summary of the general subject matter of the testimony each witness is expected to give in this Proceeding.
- RFI NO. 2-5:** Identify all persons who assisted in the preparation of the answers to these Requests.
- RFI NO. 2-6:** Produce any resumes or *curriculum vitae*, if any, for any persons you intend to call as fact witnesses.
- RFI NO. 2-7:** What is the total rate revenue requirement that you believe is reasonable in this Proceeding?
- RFI NO. 2-8:** Produce all documents relating to any communication between you and any local, state or federal governmental official, employee, or representative relating to this Proceeding.
- RFI NO. 2-9:** Produce all documents relating to any communication between you and any other customer of West Wise Special Utility District relating to this Proceeding.
- RFI NO. 2-10:** Produce all documents upon which you base your contention that the Rates that are the subject of this proceeding are unreasonable.
- RFI NO. 2-11:** Produce all documents relied upon in preparing answers to these Requests.