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

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BEFORE THE PUBLIC UTILITY
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COMMISSION OF TEXAS

CITY OF WYLIE'S MOTION TO INTERVENE

COMES NOW the City of Wylie, Texas ("City" or "Wylie") and files this Motion to Intervene ("Motion") in this docket for the Petition filed by the cities of Garland, Mesquite, Plano, and Richardson ("Appealing Cities") appealing the wholesale water rates adopted by the North Texas Municipal Water District ("NTMWD"). In support of the City's Motion, the City would show as follows:

I. Motion to Intervene

The Appealing Cities appeal a rate change action taken by NTMWD. The Appealing Cities assert that NTMWD has exerted or abused monopoly power and that the appealed rate is unreasonably preferential, prejudicial, and discriminatory. Thus, the Appealing Cities assert that the protested rate adversely affects the public interest. If successful in making its adverse public interest demonstration, the Appealing Cities seeks further evidentiary proceedings on the rate and asks the Public Utility Commission of Texas ("PUC") to set a just and reasonable rate.

The City is a municipality in Dallas, Rockwall and Collin Counties, Texas. The City receives wholesale water service from NTMWD. The City is a "member city" of NTMWD like the Appealing Cities.

When a rate increases to a member city of NTMWD, the City's wholesale water rate is likewise increased by the same monetary amount. Thus, any determination by the PUC regarding the rates charged by NTMWD impact the rates charged to the City. For instance, if the PUC determines that the NTMWD rate appealed by the Appealing Cities is adverse to the public interest as to the Appealing Cities, then it necessarily follows that the rate charged by NTMWD is likewise

adverse to the public interest for the rate charged to the City. Further, if the case is remanded to SOAH for a cost of service hearing, then the City's rates will be affected by the ultimate decision in the case. For instance, every dollar of revenue reduced in the rates to serve the Appealing Cities may require an increase in revenue sought from cities, like the City. The City has a supreme interest in ensuring that the rates charged to it are just, fair, reasonable, and equitable. Thus, the City has a justiciable interest which may be adversely affected by the outcome of this proceeding.¹ The City hereby moves to intervene in this docket and for party status as an Intervenor.

II. Notice of Appearance

Arturo D. Rodriguez, Jr., pursuant to PUC Proc. R. 22.101(a) hereby enters an appearance as counsel on behalf of the City in this docket. Accordingly, documents filed in this case, orders, service, and correspondence to the City should be directed to:

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)
Email: arodriguez@txlocalgovlaw.com

III. Conclusion and Prayer

The City respectfully requests the Commission:

- (1) Grant the City's Motion to Intervene and recognize it as a full party to this proceeding.
- (2) Grant the City all other and further relief to which it is justly entitled.

Respectfully submitted,

Russell Rodriguez Hyde Bullock LLP
1633 Williams Drive, Building 2, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

¹ PUC R. 22.103.
CITY OF WYLIE'S MOTION TO INTERVENE

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
State Bar No. 00791551

ATTORNEY FOR THE CITY OF WYLIE

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of January 2019 a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel of record:

Michael J. Tomsu
Taylor Holcomb
Vinson & Elkins, LLP
2801 Via Fortuna, Suite 100
Austin, TX 78746
(512) 542-8454
(512) 236-3209 Fax
tholcomb@velaw.com
mtomsu@velaw.com

Barry Smitherman
BARRY SMITHERMAN, P.C.
P.O. Box 163805
Austin, Texas 78716
512-652-8949
512-330-0182 (Fax)
smithermantexas@gmail.com
**Attorneys for Petitioners (Garland,
Mesquite, Plano and Richardson**

Lauren Kalisek
James T. Aldredge
Lloyd Gosselink Rochelle & Townsend PC
816 Congress Avenue, Suite 1900
Austin, TX 78701
(512) 322-5800
(512) 472-0532 FAX
lkalisek@lglawfirm.com
jaldredge@lglawfirm.com
**Attorneys for North Texas Municipal
Water District**

Kate Norman
Gene Montes
Coffin Renner LLP
98 San Jacinto Blvd, Suite 1450
Austin, Texas
(512) 879-0900
(512) 879-0912 Fax
kate.norman@crtxlaw.com
gene.montes@crtxlaw.com
**Attorneys for North Texas Municipal
Water District**

Jim Mathews
Mathews & Freeland, LLP
8140 N. Mopac Expy, Suite 2-260
Austin, TX 78759
(512) 404-7800
(512) 703-2785 FAX
jmathews@mandf.com
**Representing the Cities of Forney and
Frisco**

Alfred R. Herrera
Brennan J. Foley
Herrera Law & Associates, PLLC
816 Congress Avenue, Suite 950
Austin, TX 78701
(512) 474-1492
(512) 474-2507 FAX
aherrera@herreralawpllc.com
bfoley@herreralawpllc.com
Representing the City of McKinney

Patrick W. Lindner
Paul M. Gonzalez
Davidson Troilo Ream & Garza, PC
601 NW Loop 410, Suite 100
San Antonio, TX 78216
(210) 349-6484
(210) 349-0041 FAX
plindner@dtgrglaw.com
pgonzalez@dtgrglaw.com
Representing the City of Rockwall

Stephen C. Dickman
Law Office of Stephen C. Dickman
6005 Upvalley Run
Austin, TX 78731
(512) 922-7137
(512) 454-8495 FAX
sdickman@att.net
Representing the City of Royse City

Steven M. Gonzalez
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)
Steven.Gonzalez@puc.texas.gov
Public Utility Commission Attorneys

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.