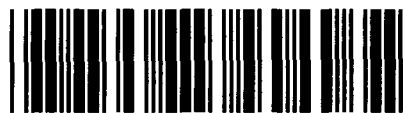




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Addendum StartPage: 0

RECEIVED

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

2010 JAN 03 PM 1:22  
 BEFORE THE

PUBLIC UTILITY COMMISSION  
 FILING CLERK

PUBLIC UTILITY COMMISSION

OF TEXAS

### CITY OF ROCKWALL'S MOTION TO INTERVENE

Pursuant to the Commission's Procedural Rules [16 Tex. Admin. Code ("TAC") §§] 22.103 and 22.104, the City of Rockwall, Texas ("Rockwall") files this Motion to Intervene. This filing is timely. In support thereof, Rockwall would respectfully show as follows:

1. Rockwall is a municipality that operates as a retail public utility providing water and sewer service within portions of Rockwall County, Texas. As a political subdivision of the State of Texas, the city serves the public interest.

2. As stated in Original Petition initiating this proceeding,<sup>1</sup> Rockwall is one of several cities that, together with the Petitioners, contracted with North Texas Municipal Water District ("District" or "NTMWD") for wholesale water.<sup>2</sup> As a party to the agreement under which rates subject to appeal are set, Rockwall is one of several "other appropriate parties" provided service under 16 TAC § 24.130(a).<sup>3</sup>

3. Petitioners appeal the District's proposed rate and rate setting procedures and, as such, Rockwall and its citizens may be impacted by the Commission's decisions in this proceeding.

<sup>1</sup> Original Petition Appealing Wholesale Water Rates at page 4, notes 6-7 and accompanying text.

<sup>2</sup> *Id.*, Attachment B, NTMWD Regional Water Supply Facilities Amendatory Contract (identifying Rockwall as a party to the contract).

<sup>3</sup> *See id.* at page 15 (service list).

Rockwall has a justiciable interest that may be adversely affected by the outcome of this proceeding and seeks intervention.

4. The business representative for Rockwall is:

Rick Crowley  
City Manager  
Rockwall City Hall  
385 S. Goliad Street  
Rockwall, Texas 75087

5. Rockwall is represented in this proceeding by the following authorized legal representatives:

Patrick W. Lindner  
[plindner@dtgrglaw.com](mailto:plindner@dtgrglaw.com)  
DAVIDSON TROILO REAM & GARZA, PC  
601 NW Loop 410, Ste. 100  
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Telephone (210) 349-6484  
Facsimile (210) 349-0041

Betsy Johnson  
[bjohnson@dtgrglaw.com](mailto:bjohnson@dtgrglaw.com)  
DAVIDSON TROILO REAM & GARZA, PC  
919 Congress Avenue, Suite 810  
Austin, Texas 78701  
Telephone (512) 469-6006  
Facsimile (512) 473-2159

6. Rockwall requests that all pleadings, orders, correspondence and filings in this proceeding be served on its legal representatives. In the event only one representative may be used for service of a particular pleading, Rockwall requests that Patrick Lindner be served.

WHEREFORE, PREMISES CONSIDERED, Rockwall respectfully requests that its Motion to Intervene be granted, that it be allowed to participate as a party to this proceeding, and for such further relief to which it may be entitled.

Respectfully submitted,

DAVIDSON TROILO REAM & GARZA, P.C.  
919 Congress Avenue, Suite 810  
Austin, Texas 78701  
Telephone (512) 469-6006  
Facsimile (512) 473-2159

By: /s/ Betsy Johnson  
Betsy Johnson  
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**ATTORNEYS FOR CITY OF ROCKWALL**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document was served on all parties of record via E-mail, regular mail, hand delivery or fax on January 23, 2019.

/s/ Betsy Johnson  
Betsy Johnson