



Control Number: 49189



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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

To: Respondent, City of Austin dba Austin Water, by and through its attorney of record,
Thomas L. Brocato, Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue,
Suite 1900, Austin, Texas 78701.

COME NOW, North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control & Improvement District No. 10, and Wells Branch Municipal Utility District (collectively, the “Districts”) and serve this, their Second Request for Information to the City of Austin dba Austin Water pursuant to 16 Tex. Admin. Code Ann. § 22.144 (TAC), and request the following information and answers to the following questions be provided under oath.

Respectfully submitted,



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COUNSEL FOR DISTRICTS

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 9th day of August, 2019.



Randall B. Wilburn / John J. Carlton

**PUC DOCKET NO. 49189
SOAH DOCKET NO. 473-19-6297.WS**

**NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1,
NORTHTOWN MUNICIPAL UTILITY DISTRICT,
TRAVIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 10,
AND WELLS BRANCH MUNICIPAL UTILITY DISTRICT'S SECOND
REQUEST FOR INFORMATION TO CITY OF AUSTIN DBA AUSTIN WATER**

**I.
DEFINITIONS**

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

1. "You," "your" and "City" means and refers to the City of Austin dba Austin Water, as well as its officers, employees, affiliates, and expert witnesses.
2. "Districts" means and refers to North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control & Improvement District No. 10, and Wells Branch Municipal Utility District.
3. "Document" or "documents" means and refers to all writings, data, data compilations, correspondence, electronic transmissions, email, electronically stored data and data compilations, and all versions and modifications of same.
4. "Application" means and refers to the application, including filed 45-day updates, that is the subject of SOAH Docket No. 473-19-6297.WS and PUC Docket No. 49189.

**II.
INSTRUCTIONS**

1. These discovery requests must be answered in strict compliance with the orders of the Administrative Law Judge hearing this Docket, the Texas Rules of Civil Procedure, and the rules of the PUC.
2. Your answers to the discovery requests must be answered separately and fully in writing, and the answers must be signed and verified under oath by the person making the answers.
3. In those instances when the responding party chooses to answer a discovery request by referring to a specific document or record, the specification must be in sufficient detail to permit the requesting party to locate and identify the records and/or documents from which the answer is to be ascertained as readily as the party served with the request.
4. Whenever you are asked in these discovery requests to describe, identify, or produce documents, the term "documents" is not limited to documents in your actual or constructive possession, custody or control (as defined by Tex. R. Civ. P. 192.7(b)), but also includes all documents that you know to exist or which have existed or which you have reason to

suspect to be in existence or to have been in existence, irrespective of whether the document is one intended for or transmitted internally by you or intended for or transmitted to any other person or entity, including without limitation any governmental agency, department, administrative entity, or their personnel.

5. Whenever you are asked in these discovery requests to describe or identify documents that once existed, but which no longer exist, in addition to identifying the documents, please indicate the approximate date and the circumstances under which the documents ceased to exist. Whenever you are asked in these discovery requests to describe or identify documents that are not in your actual or constructive possession, custody or control, as those terms are defined in Tex. R. Civ. P. 192.7(b), please identify (by name, address and telephone number) the person whom you believe to have such possession, custody or control.
6. If a discovery request calls upon you to state your legal or factual contentions and/or the legal or factual basis for your contentions in this lawsuit, you should respond in accordance with Tex. R. Civ. P. 192.3(j). Such requests do not seek to require you to marshal all of your evidence.
7. As used in these discovery requests, the singular and masculine form of a noun or pronoun includes the plural form, the feminine, or the neuter form, where appropriate.
8. As used in these discovery requests, the past tense includes the present tense where the express meaning of the request is not distorted by that usage, and the verb form of a noun or pronoun may be used as appropriate in a particular context.

III.

DUTY TO SUPPLEMENT

You are under a duty to supplement any responses that are incomplete or incorrect when made. Furthermore, you are under a duty to amend your responses within a reasonable time after you obtain information on the basis of which you know that a response either (1) was incorrect or incomplete when made or (2) although correct and complete when made, is no longer correct and complete, and the circumstances are such that failure to amend the response is in substance misleading.

IV.

REQUESTS FOR INFORMATION

DISTRICTS' REQUEST TO CITY 2-1. To the extent not provided in work papers already filed with the Application, please provide copies of the source documents, data, and work papers associated with the development of the Application. Please provide the underlying data and exhibits in both paper and electronic (Microsoft Excel Worksheet) forms. For the Microsoft Excel documents, please provide the worksheets with links intact and include all formulas embedded in the worksheets.

DISTRICTS' REQUEST TO CITY 2-2. To the extent not provided in work papers already filed and related to the Direct Testimony of David A. Anders, Joseph H. Gonzales, Richard D. Giardina, Dan Wilkerson, Dennis P. Waley, Stephen J. Coonan, and Tab R. Urbantke, please provide copies of any articles, publications, regulatory decisions (outside of Texas), reference material, and documents cited in testimony or footnotes. If the referenced source is a book, please provide a copy of the relevant section of the book.

DISTRICTS' REQUEST TO CITY 2-3. Please provide all spreadsheets in the Application in electronic format with all links intact, including any linked spreadsheets.

DISTRICTS' REQUEST TO CITY 2-4. Please provide a crosswalk to link line items in Excel spreadsheets in the rate filing package to the cost of service models.

DISTRICTS' REQUEST TO CITY 2-5. Please provide bond documents for all debt included in the rate filing package that support the debt service coverage requested in the Application.

DISTRICTS' REQUEST TO CITY 2-6. Please provide all correspondence between the Districts and the City since January 1, 2016, regarding the City's existing water or wastewater service contracts with the Districts.

DISTRICTS' REQUEST TO CITY 2-7. Please provide all correspondence between the Districts and the City since January 1, 2016, regarding the renewal of the City's water or wastewater service contracts with the Districts.