



Control Number: 49189



Item Number: 57

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION
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APPLICATION OF THE CITY OF
AUSTIN FOR AUTHORITY TO
CHANGE THE WATER AND
WASTEWATER RATES FOR NORTH
AUSTIN MUNICIPAL UTILITY
DISTRICT NO. 1, NORTHTOWN
MUNICIPAL UTILITY DISTRICT,
TRAVIS COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO.
10, AND WELLS BRANCH
MUNICIPAL UTILITY DISTRICT IN
WILLIAMSON AND TRAVIS
COUNTIES

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PUBLIC UTILITY COMMISSION

OF TEXAS

**NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1, NORTHTOWN
MUNICIPAL UTILITY DISTRICT, TRAVIS COUNTY WATER CONTROL &
IMPROVEMENT DISTRICT NO. 10, AND WELLS BRANCH MUNICIPAL UTILITY
DISTRICTS' MOTION TO COMPEL CITY OF AUSTIN TO RESPOND TO
INTERVENORS' 3RD, 4TH AND 5TH REQUESTS FOR INFORMATION**

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 (the "Intervenors") and file this Motion to Compel Responses to Intervenors' Corrected Third, Fourth and Fifth Requests for Information to the City of Austin ("City"), which were served on the City on August 30, 2019. This Motion to Compel is filed within five days of and in response to City's Objections to Intervenors' Corrected Third, Fourth and Fifth Requests for Information to the City, all of which the City filed on Monday, September 9, 2019. Therefore, this Motion to Compel is timely. In support of this Motion, Intervenors respectfully show the following:

I. RESPONSE TO CITY'S OBJECTIONS

A. City repeated the following objections for Intervenors' Corrected Third, Fourth and Fifth Requests for Information. Intervenors' Responses and Motion to Compel apply to all three Requests for Information.

1. **DEFINITION NO. 5:** "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.

Objections:

Austin Water objects to this definition because it is unduly burdensome, unreasonable, and meant for the purpose of harassing Austin Water. ... Notwithstanding this objection, Austin Water will provide a response to each request using the commonly understood meaning of the term.

City cites 16 TAC § 22.142(a)(1)(D) and Tex. R. Civ. Proc. 192.4 as the bases for its objections. However, City bears the burden of proof in this matter as the applicant for approval of an increase in its wholesale rates to Intervenor. As the ALJs are aware, City pressed for an extremely compressed schedule in this matter. City's rate filing package and direct case in this matter consists of 3,731 pages of materials. Intervenor's discovery properly seeks to discover the bases for City's rate request, which Intervenor's expect to require City to produce thousands of pages of additional documents and thoroughly detailed responses. Intervenor's Corrected Third, Fourth and Fifth Requests for Information include a definition of "Describe" or "describe in detail" to make clear what Intervenor's are requesting.

If the ALJs were to sustain City's objection to this definition, City could simply respond with non-specific and evasive answers that effectively serve to shift the burden of proof to Intervenor's to scour City's own admittedly voluminous documentation in order to locate "a needle in a haystack" and understand City's application in order to prepare the Intervenor's direct case.

In the prior wholesale rate appeal, the Commission found that:

Based on Disk 1 and the city's direct case, Intervenor's expert witness attempted to evaluate the city's rates by starting from the assumption that the data entries in the city's inactive Excel spreadsheets were valid. After spending 500 hours and at a cost of nearly \$100,000, Intervenor's expert and his team reverse-engineered the inactive Excel spreadsheets to create active spreadsheets that they used to guess the formulas and bases for the underlying data. The reverse-engineered Excel spreadsheets still contained the city's data entries and assumed their validity.¹

City's objections in this matter, follow the same pattern as the prior Docket. Intervenor's should not be forced to reconstruct City's case in order to be able to evaluate City's assertions regarding the calculations of Intervenor's wholesale rate. The burden of that proof, and the cost, rests squarely on City.

¹ Order on Rehearing, Docket No. 42857, Item 344, p. 22, Finding of Fact 45.

Intervenors filed and served City their Corrected Third, Fourth and Fifth Requests for Information on August 30, 2019. Pursuant to SOAH Order No. 2, objections on these Requests were due on September 9, 2019. On September 6, 2019, one business day before responses to the Requests were due, counsel for City called and alerted counsel for Intervenors that the City would be objecting to Intervenors definition of “Describe” and “describe in detail” in the Requests because the definition sought information that was too detailed regarding each response.

Further, City’s statement that “[n]otwithstanding this objection, Austin Water will provide a response to each request using the commonly understood meaning of the term” violates the requirements of Tex. R. Civ. Proc. 193.2(a), which requires that “[t]he party must state specifically the legal or factual basis for the objection and the extent to which the party is refusing to comply with the request.”² Merely stating that the City will comply with the request using the “using the commonly understood meaning of the term”³ fails to specifically state the basis for the objection to which City is refusing to comply. Instead, the objection would leave the determination of what is actually responsive to City’s biased interpretation.

Further, Intervenors’ only requests from their Corrected Third, Fourth and Fifth Requests for Information that use the terms “describe” or “describe in detail” are:

DISTRICTS’ REQUEST TO CITY 3-17. For Schedule II-A-2, please describe in detail how “Defeasance in 2018” explains the decrease in Loss on in-substance defeasance of \$26,847,396 from 2017 to 2018.

DISTRICTS’ REQUEST TO CITY 3-18. For Schedule II-A-2, please describe in detail how “Fixed Assets Deferred Depreciation, Asset Contribution Depreciation, FASB 71 Deferred Asset Contributions” explains the reduction of Cost (recovered) to be recovered in future years of \$112,307,025 from 2017 to 2018.

DISTRICTS’ REQUEST TO CITY 3-19. For Schedule II-A-2, please describe in detail how “Interfund Transfers” explains the reduction of Other nonoperating revenue (expenses) of \$7,178,742 from 2017 to 2018.

DISTRICTS’ REQUEST TO CITY 3-20. For Schedule II-A-2, please describe in detail how “Decrease in Transfers” explains the

² *Id.* at 192.3(a).

³ Objections of Austin Water to Districts’ Corrected Third Request for Information, Docket No. 49189, Item 50, p. 2; Objections of Austin Water to Districts’ Corrected Fourth Request for Information, Docket No. 49189, Item 49, p. 2; and Objections of Austin Water to Districts’ Corrected Fifth Request for Information, Docket No. 49189, Item 48, p. 2.

reduction of Transfers out-other funds of \$2,395,813 from 2017 to 2018.

DISTRICTS' REQUEST TO CITY 4-3: Describe in detail why has Austin not disclosed that it redefined Transmission water mains on Table 72-2 of the Docket No. 49189 from the 24" and greater used in Docket No. 42857 to 16" and greater.

DISTRICTS' REQUEST TO CITY 4-4: Describe in detail the basis for Austin's proposed reclassification for purposes of Docket No. 49189.

All of these requests are relevant to the issues in this matter, and City is obligated to provide a meaningful response.

It is unclear from City's objections, but to the extent that City is objecting to having to "describe" documents as part of the definition of "identify," Counsel for Intervenor offered to agree to modify the definition of "identify," as discussed in detail below, to track the Commission's requirements for indices of voluminous materials found in 16 Tex. Admin. Code 22.144(h)(4). The City did not agree, and now files objections to Intervenor's definitions of "describe" and "Identify". Furthermore, Intervenor anticipates that the City will not file an index of voluminous materials in response to Intervenor's Corrected Third, Fourth and Fifth Requests as required by the Commission's rules, because the City has failed to do so in its responses to Intervenor's First and Second Requests, despite the City's responses admitting that the City's responsive documents are voluminous.⁴ Commission Procedural Rules 22.144(h)(4) requires:

(4) The party providing the voluminous material shall file with its response a detailed index of the voluminous material responsive to a particular question and shall organize the responses and material to enable parties to efficiently review the material, including labeling of material by request for information number and subparts and sequentially numbering the material responsive to a particular question. The index shall include:

- (A) information sufficient to locate each individual document by page number, file number, and box number;
- (B) the date of each document;
- (C) the title of the document, or, if none exists, a description of the document;

⁴ See City of Austin D/B/A Austin Water's Response to Districts' First Request for Information, Docket No. 49189, Item 39, p. 14, and City of Austin D/B/A Austin Water's Response to Districts' First Request for Information, Docket No. 49189, Item 47, p. 8.

- (D) the name of the preparer of each document; and
- (E) the length of each document.⁵

City's responses to Intervenor's First and Second Requests merely contains of copy of the image of the DVD with a list of the file names for the files included on the DVD, which City has asserted in negotiations is sufficient. Copies of the relevant pages from City's responses to Intervenor's First Request for Information and Intervenor's Second Request for Information are attached to this Motion as Exhibits "A" and "B."⁶

Intervenor's urge the ALJs to overrule City's objections to Intervenor's instructions related to describing its responses in detail and compel the City to fully respond to Intervenor's requests.

2. **DEFINITION NO. 10:** 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 addresses, 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,

Objections:

Austin Water objects to this definition because it is unduly burdensome, unreasonable, and meant for the purpose of harassing Austin Water. ... Notwithstanding this objection, Austin Water will provide a response to each request using the commonly understood meaning of the term.

City cites 16 TAC § 22.142(a)(1)(D) and Tex. R. Civ. Proc. 192.4 as the bases for its objections. However, City bears the burden of proof in this matter as the applicant for approval of an increase in its wholesale rates to Intervenor's.

Intervenor's filed and served City their Corrected Third, Fourth and Fifth Requests for Information on August 30, 2019. Pursuant to SOAH Order No. 2, objections on these Requests were due on September 9, 2019. On September 6, 2019, one business day before responses to the Requests were due, counsel for City called and alerted counsel for Intervenor's that the City would be objecting to Intervenor's definition of "Identify" in the Requests because the definition sought information that was too detailed regarding each document. Counsel for Intervenor's offered to agree to modify the definition to track the Commission's requirements for indices of voluminous materials found in 16 Tex. Admin. Code 22.144(h)(4). The City did not agree, and now files

⁵ 16 Tex. Admin. Code 22.144(h)(4).

⁶ See City of Austin D/B/A Austin Water's Response to Districts' First Request for Information, Docket No. 49189, Item 39, p. 14, and City of Austin D/B/A Austin Water's Response to Districts' First Request for Information, Docket No. 49189, Item 47, p. 8, also attached as Exhibits "A" and "B."

objections to Intervenor's definition of "Identify". Furthermore, Intervenor anticipates that the City will not file an index of voluminous materials in response to Intervenor's Corrected Third, Fourth and Fifth Requests as required by the Commission's rules, because the City has failed to do so in its responses to Intervenor's First and Second Requests, despite the City's responses admitting that the City's responsive documents are voluminous.⁷ Commission Procedural Rules 22.144(h)(4) requires:

(4) The party providing the voluminous material shall file with its response a detailed index of the voluminous material responsive to a particular question and shall organize the responses and material to enable parties to efficiently review the material, including labeling of material by request for information number and subparts and sequentially numbering the material responsive to a particular question. The index shall include:

- (A) information sufficient to locate each individual document by page number, file number, and box number;
- (B) the date of each document;
- (C) the title of the document, or, if none exists, a description of the document;
- (D) the name of the preparer of each document; and
- (E) the length of each document.⁸

Intervenor's urge the ALJs to overrule City's objections to Intervenor's instructions related to identifying responsive documents and compel the City to fully respond to Intervenor's requests. Alternatively, Intervenor's request that the ALJs order City to provide an index to the voluminous documents that are produced for Intervenor's Corrected Third, Fourth and Fifth Requests as required by 16 Tex. Admin. Code 22.144(h)(4).

B. City made the following specific objections for Intervenor's Corrected Third Requests for Information.

1. **DISTRICTS CORRECTED 3-1:** Please identify and produce all documents that demonstrate, justify, provide the basis for, explain, or in any way document the cost

⁷ See City of Austin D/B/A Austin Water's Response to Districts' First Request for Information, Docket No. 49189, Item 39, p. 14, and City of Austin D/B/A Austin Water's Response to Districts' First Request for Information, Docket No. 49189, Item 47, p. 8.

⁸ 16 Tex. Admin. Code 22.144(h)(4).

of planning, developing, and constructing Water Treatment Plant No. 4 to completion.

Objections:

Austin Water objects to this request because it seeks information that is not relevant to the subject matter of the proceeding, as is required by 16 TAC § 22.141(a). ... The prudence of Austin Water's invested capital is not a relevant issue in this proceeding.

The “cost of planning, developing, and constructing Water Treatment Plant No. 4” is entirely relevant to this proceeding. City claims that “Austin Water is under no obligation to seek Commission approval of its invested capital (i.e. rate base).” However, City’s own testimony reveals the importance of the costs incurred by City for Water Treatment Plant No. 4 (now known as the Handcos WTP). Mr. Anders testifies that

The Handcox WTP is a critical component of providing water service to all of AW’s customers. During the previous proceedings in Docket No. 42857, the Handcox WTP was still under construction and was not yet used and useful. Since November 2014, the Handcox plant has continuously been used and useful to AW’s water system.... The Handcox WTP costs benefit all customer classes including wholesale customers, and therefore a portion of the O&M and capital costs associated with the plant have been properly allocated to wholesale customers.⁹

Intervenors are entitled to discovery on this issue.

2. **DISTRICTS CORRECTED 3-3:** Please identify and produce all documents that relate to, evidence, memorialize, or concern any communications, meetings, or reports, or relays of data or information, whether written, video, or telephonic, informal or formal, regarding the City's existing water or wastewater service contracts with the Districts, that occurred within the City, or between the City and any other party, including Districts, at any time from January 1, 2016, to the present.

Objections:

⁹ See City’s Statement of Intent to Change Rates for Wholesale Water and Wastewater Service, Direct Testimony of David A. Anders, at 39-40 (52-53 of 3,731) (Apr. 15, 2019).

Austin Water objects to this request because it seeks information that is not relevant to the subject matter of the proceeding, as is required by 16 TAC § 22.141(a). ... Additionally, Austin Water objects to this request to the extent that it seeks information that is readily available to the requesting party.

The “communications, meetings, or reports, or relays of data or information, ... regarding the City's existing water or wastewater service contracts with the Districts, that occurred within the City, or between the City and any other party” are relevant to this proceeding.

City claims that “Any correspondence between Districts and the City clearly involves Districts, and such information and correspondence should have been kept by Districts.” Intervenors are entitled to discovery regarding all City’s communications regarding the renewal of the City's water or wastewater service contracts with the Districts, including any communications that City claims it has had with Intervenors. City’s documentation in response to this request would reveal City’s internal and external discussions regarding its obligations under its contracts with Intervenors and the issues the City is concerned with in complying with those contracts. Those records are relevant to this matter because City claims to be allocating costs properly to the Intervenors. Such a claim can only be evaluated by understanding City’s treatment of its customers and City’s intentions with respect to the treatment of Intervenors under its contract with Intervenors. Intervenors are entitled to discovery regarding City’s communications regarding the calculation of Intervenors rates.

City also claims that “Any correspondence between Districts and the City clearly involves Districts, and such information and correspondence should have been kept by Districts.” Intervenors are entitled to discovery regarding all City’s communications regarding the renewal of the City's water or wastewater service contracts with the Districts, including any communications that City claims it has had with Intervenors irrespective of whether City believe Intervenors should have kept such information or correspondence.

3. **DISTRICTS CORRECTED 3-4:** Please identify and produce all documents that evidence, memorialize, or concern any communications, meetings, reports, or relays of data or information, whether written, video, or telephonic, informal or formal, regarding the renewal of the City's water or wastewater service contracts

with the Districts, that occurred within the City, or between the City and any other party, including Districts, at any time from January 1, 2016, to the present.

Objections:

Austin Water objects to this request because it seeks information that is not relevant to the subject matter of the proceeding, as is required by 16 TAC§ 22.141(a). ... Additionally, Austin Water objects to this request to the extent that it seeks information that is readily available to the requesting party.

The “communications, meetings, or reports, or relays of data or information, ... regarding the renewal of the City's water or wastewater service contracts with the Districts, that occurred within the City, or between the City and any other party” are relevant to this proceeding. City’s documentation in response to this request would reveal City’s internal and external discussions regarding its obligations under its contracts with Intervenor and the issues the City is concerned with in the renewal of those contract. Those records are relevant to this matter because City claims to be allocating costs properly to the Intervenor. Such a claim can only be evaluated by comparison to City’s treatment of its other customers and City’s intentions with respect to the treatment of Intervenor in any renewal of its contract with Peitioners.

City also claims that “Any correspondence between Districts and the City clearly involves Districts, and such information and correspondence should have been kept by Districts.” Intervenor are entitled to discovery regarding all City’s communications regarding the renewal of the City's water or wastewater service contracts with the Districts, including any communications that City claims it has had with Intervenor irrespective of whether City believe Intervenor should have kept such information or correspondence.

4. **DISTRICTS CORRECTED 3-34:** Please provide the mapping of A W's chart of accounts into the NARUC chart of accounts.

Objections:

Austin Water objects to this request because it seeks information that is neither relevant to the issues presented in this matter nor is reasonably calculated to lead to the discovery of admissible evidence as is required by the Commission's rules at 16 TAC § 22.141(a).

City admits that it does not use the NARUC chart of accounts but claims that its system is similar. “For example, AW does not use the NARUC chart of accounts for its own accounting, and therefore does not use it in this case. However, AW does have a similar chart of accounts method that provides a level of detail which is consistent with the NARUC system.”¹⁰ Understanding how City’s chart of account is similar to the NARUC chart of account is relevant to this matter.

C. City made the following specific objections for Intervenor’s Corrected Fourth Requests for Information.

1. **DISTRICTS 4-6:** Please provide the revenue requirements for each of the Intervenor’s based on re-running the AW Water COS Model Docket 49189.xlsx using the classifications of 24" and greater as Transmission Mains and less than 24" as Distribution Mains.

Objections:

Austin Water objects to this request because it would require Austin Water to create a document not in existence, and therefore, not within Austin Water’s possession.

City asserts that “Districts have been provided with a working version of Austin Water’s COS Model, giving Districts the ability to run the Model with any changes they desire.”¹¹ However, Austin Water’s COS Model is not linked and there is no crosswalk to allow Intervenor’s to link that model to City’s Rate Filing Package. City even admits in its objections, that “some portions of the model are ‘hard coded’”¹² City’s failure to provide the working links between its Cost of Service Model Water and the rate filing package makes it impossible for Intervenor’s to determine the impact of “using the classifications of 24" and greater as Transmission Mains and less than 24" as Distribution Mains.” City’s claims that it would “endure the time and expense required to make the requested changes to depreciable life of Austin Water’s treatment facilities and re-run its COS Model...”¹³ But City bears the burden of proof in this matter. That burden

¹⁰See Austin’s Statement of Intent to Change Rates for Wholesale Water and Wastewater Service, , at 2 of 3,731 (Apr. 15, 2019).

¹¹ Objections of Austin Water to Districts’ Corrected Fourth Request for Information, Docket No. 49189, Item 49, p. 4.

¹² *Id.*

¹³ *Id.*

carries with it the obligation upon City to demonstrate how ALL of the figures in its rate filing package were calculated. City cannot hide behind claims that it has provided a working model when it has failed to provide Intervenor with the information necessary to evaluate City's calculations, including the Rate Filing Package, and then assert that City will not provide the output of the very model that it possesses because that will take "time and expense." In addition, Intervenor understands that City will respond to Intervenor's Corrected Fourth Requests for Information by acknowledging its mistake in altering the classification of distribution versus transmission mains based upon a 16" or greater line size compared to the 24" or greater line size used in the prior rate case and producing new calculations, which is exactly the reason Intervenor made the request.

Intervenor is entitled to "obtain discovery regarding any matter that is not privileged and is relevant to the subject matter of the pending action, whether it relates to the claim or defense of the party seeking discovery or the claim or defense of any other party."¹⁴ The impact of "changing the depreciable life of all treatment facilities to 5 years" is relevant to the subject matter of City's application.

D. City made the following specific objections for Intervenor's Corrected Fifth Requests for Information.

- 1. DISTRICTS 5-4:** Please provide the revenue requirements for each of the Intervenor based on re-running the AW Water COS Model Docket 49189.xlsx changing the depreciable life of all treatment facilities to 5 years.

Objections:

Austin Water objects to this request because it would require Austin Water to create a document not in existence, and therefore, not within Austin Water's possession.

City repeats its objection and argument related to Intervenor's Requests 4-6 nearly verbatim. As argued in response to those objections above, City asserts that "Districts have been provided with a working version of Austin Water's COS Model, giving Districts the ability to run the Model with any changes they desire."¹⁵ However, Austin Water's COS Model is not linked and there is

¹⁴ Tex. R. Civ. Proc. 192.3(a).

¹⁵ Objections of Austin Water to Districts' Corrected Fifth Request for Information, Docket No. 49189, Item 48, p. 4.

no crosswalk to allow Intervenors to link that model to City's Rate Filing Package. Consequently, Intervenors have no ability to evaluate the impact of "changing the depreciable life of all treatment facilities to 5 years." City's claims that it would "endure the time and expense required to make the requested changes to depreciable life of Austin Water's treatment facilities and re-run its COS Model..."¹⁶ But City bears the burden of proof in this matter. That burden carries with it the obligation upon City to demonstrate how ALL of the figures in its rate filing package were calculated. City cannot hide behind claims that it has provided a working model when it has failed to provide Intervenors with the information necessary to evaluate City's calculations, including the Rate Filing Package, and then assert that City will not provide the output of the very model that it possesses because that will take "time and expense."

Intervenors are entitled to "obtain discovery regarding any matter that is not privileged and is relevant to the subject matter of the pending action, whether it relates to the claim or defense of the party seeking discovery or the claim or defense of any other party."¹⁷ The impact of "changing the depreciable life of all treatment facilities to 5 years" is relevant to the subject matter of City's application.

2. **DISTRICTS 5-5:** Please provide the revenue requirements for each of the Intervenors based on re-running the AW Water COS Model Docket 49189.xlsx changing the depreciable life of all distribution mains to 100 years.

Objections:

Austin Water objects to this request because it would require Austin Water to create a document not in existence, and therefore, not within Austin Water's possession.

City repeats its objection and argument related to Intervenors' Requests 4-6 and 5-4 nearly verbatim. As argued in response to those objections above, City asserts that "Districts have been provided with a working version of Austin Water's COS Model, giving Districts the ability to run the Model with any changes they desire."¹⁸ However, Austin Water's COS Model is not linked and there is no crosswalk to allow Intervenors to link that model to City's Rate Filing Package. Consequently, Intervenors have no ability to evaluate the impact of "changing the depreciable life of all distribution mains to 100 years." City's claims that it would "endure the time and expense

¹⁶ *Id.*

¹⁷ Tex. R. Civ. Proc. 192.3(a).

¹⁸ Objections of Austin Water to Districts' Corrected Fifth Request for Information, Docket No. 49189, Item 48, p. 4.

required to make the requested changes to depreciable life of Austin Water's treatment facilities and re-run its COS Model..."¹⁹ But City bears the burden of proof in this matter. That burden carries with it the obligation upon City to demonstrate how ALL of the figures in its rate filing package were calculated. City cannot hide behind its model when it has failed to provide Intervenor with the information necessary to evaluate City's calculations and then assert that City will not provide the output of the very model that it possesses because that will take "time and expense."

Intervenors are entitled to "obtain discovery regarding any matter that is not privileged and is relevant to the subject matter of the pending action, whether it relates to the claim or defense of the party seeking discovery or the claim or defense of any other party." The impact of "changing the depreciable life of all distribution mains to 100 years" is relevant to the subject matter of City's application.

II. PRAYER

WHEREFORE, PREMISES CONSIDERED, Intervenor 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 pray that the Administrative Law Judges issue an Order Compelling the City to respond to Intervenor's Corrected Third, Fourth and Fifth Requests for Information and grant Intervenor other such relief to which they may be entitled.

Respectfully submitted,



John J. Carlton

Randall B. Wilburn
State Bar No. 24033342
Helen S. Gilbert
State Bar No. 00786263
GILBERT WILBURN PLLC
7000 North MoPac Blvd., Suite 200
Austin, Texas 78731

¹⁹ *Id.*

Telephone: (512) 535-1661
Facsimile: (512) 535-1678

John J. Carlton
State Bar No. 03817600
Kelli A. N. Carlton
State Bar No. 15091175
The Carlton Law Firm, P.L.L.C.
4301 Westbank Drive, Suite B-130
Austin, Texas 78746
Telephone: (512) 614-0901
Facsimile: (512) 900-2855

ATTORNEYS FOR INTERVENORS

CERTIFICATE OF SERVICE

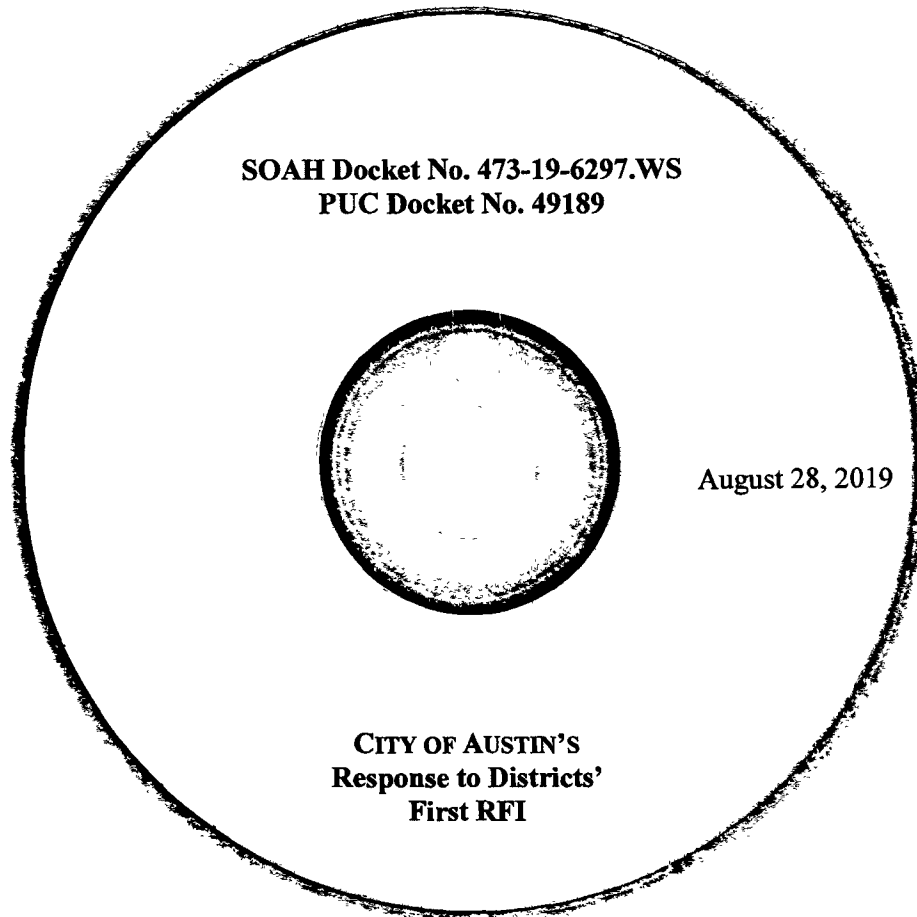
I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 16th day of September, 2019.



John J. Carlton

Exhibit A

VOLUMINOUS ATTACHMENTS PROVIDED ON CD











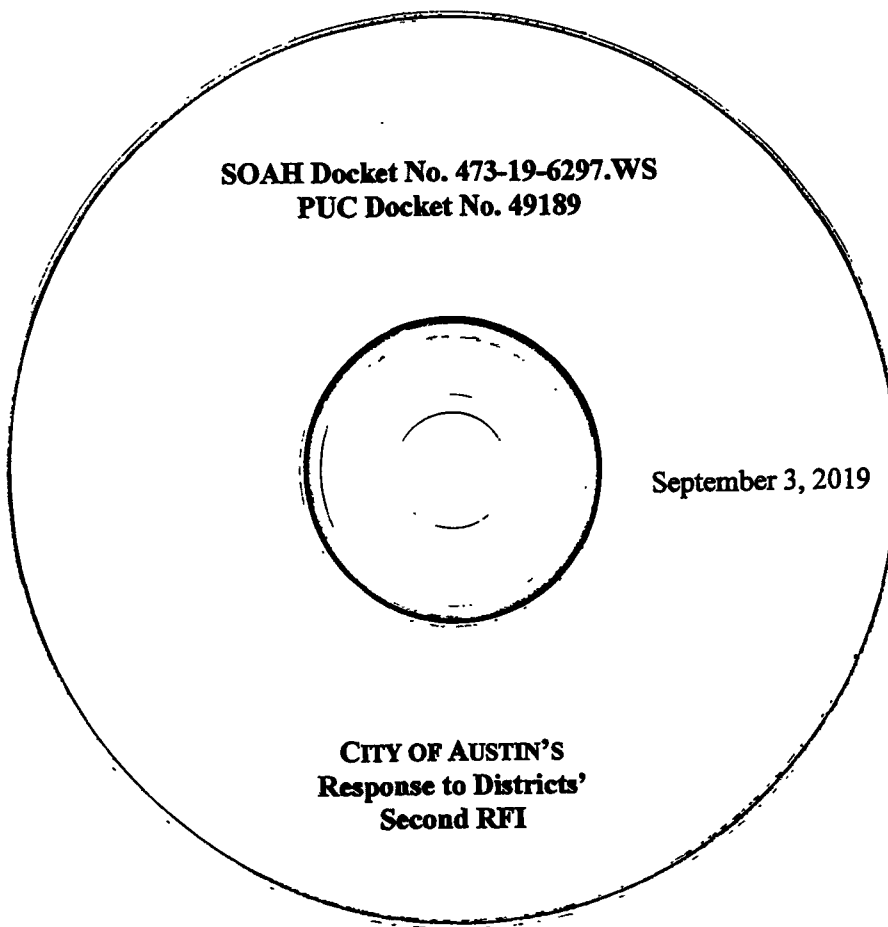
-  AW_1-2_Attachment_1.pdf
-  AW_1-3(4)(A)_Attachment_1.pdf
-  AW_1-3(4)(A)_Attachment_2.pdf
-  AW_1-3(4)(A)_Attachment_3.pdf
-  AW_1-3(4)(A)_Attachment_4.pdf
-  AW_1-3(4)(A)_Attachment_5.pdf
-  AW_1-3(4)(A)_Attachment_6.pdf
-  AW_1-7_Attachment_1.PDF

Exhibit B VOLUMINOUS ATTACHMENTS PROVIDED ON CD



AW 2-1, Attachment 1.pdf
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AW 2-1, Attachment 3.pdf
AW 2-1, Attachment 4.pdf
AW 2-1, Attachment 5.pdf
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