



Control Number: 49367



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SOAH DOCKET NO. 473-19-5831.WS
PUC DOCKET NO. 49367

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PUBLIC UTILITY COMMISSION
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PETITION BY OUT OF DISTRICT §
RATEPAYERS APPEALING THE §
WATER RATES ESTABLISHED BY §
THE EL PASO WATER CONTROL §
AND IMPROVEMENT DISTRICT NO. 4 §

PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF’S THIRD REQUEST FOR INFORMATION TO
EL PASO WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4
QUESTION NOS. STAFF 3-1 THROUGH STAFF 3-4**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144, the Staff of the Public Utility Commission of Texas (Staff) requests that the El Paso Water Control and Improvement District No. 4 (District) by and through its attorneys of record, provide the following information and answer the following questions under oath. The questions shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78712-3326.

Dated: September 10, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Stephen Mack
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this 10th of September 2019 in accordance with 16 TAC § 22.74.



Creighton R. McMurray

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**COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO
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QUESTION NOS. STAFF 3-1 THROUGH STAFF 3-4**

DEFINITIONS

- A. "District", or "you" refers to the El Paso Water Control and Improvement District No. 4 and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- B. "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the District's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist and these documents will be provided.

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QUESTION NOS. STAFF 3-1 THROUGH STAFF 3-4**

INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to the District's original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

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Staff 3-1 Does the District possess the following information? If so, please provide:

- a) Total number of gallons pumped and billed in 2015;
- b) For 2015, a breakdown of usage by gallons for the usage tiers:
 - i. 0-3,000 gallons;
 - ii. 3,001-15,000 gallons;
 - iii. 15,001-34,000 gallons;
 - iv. 34,001-1,000,000 gallons; and
 - v. over 1,000,000 gallons

Staff 3-2 Please refer to the District's Response to Ratepayers' First Request for Information, Bates pages DIST001619-DIST001689:

- a. Provide all documents and digital files, including but not limited to, historical and projected financial statements, budgets, supporting budget schedules, calculations, and historical general ledgers provided to Wildan Financial Services Economists.com. used in the preparation of the rate study referenced in that response. If the information has already been provided, please provide the corresponding Bates pages.
- b. Please provide Wildan Financial Services Economists.com electronic workpapers and digital native files used to create the rates and information in Bates pages DIST001616 through DIST001689 with enough detail to cross reference the amounts in the workpapers to the financial records provided in response to a. of this request. For the electronic workpapers and digital files please include any formulas used to produce the rates in the proposed rate plan and the water/sewer cost of service model.

Staff 3-3 Please indicate what documents and files were reviewed by the District's board when considering the rate change in question in this docket. Please provide any documents or files that have not been previously provided.

Staff 3-4 Please refer to Bates page DIST000126, "The Board discussed the District Rate Study conducted by Mr. Dan Jackson from Wildan Financial Services and agree to approve a 5 year plan that is to be reviewed on a yearly basis."

- a. In years subsequent to 2015, has the District's board conducted the above-mentioned reviews of the five-year plan? If so, please provide

the results of those reviews and the meeting minutes for the meetings in which those reviews occurred.

- b. In years subsequent to 2015, has the District's board held any votes regarding the above-mentioned five-year plan or reviews? If so, please provide the meeting minutes for the meetings in which those votes occurred.