

Control Number: 49433



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<p><b>APPLICATION OF LGI HOMES - TEXAS, LLC, BIG SKY LLC, AND MINDY L. KOEHNE (TRUSTEE) TO AMEND BOLIVAR WATER SUPPLY CORPORATION'S WATER CERTIFICATE OF CONVENIENCE AND NECESSITY IN DENTON BY EXPEDITED RELEASE</b></p>	<p>§ § §</p>	<p><b>PUBLIC UTILITY COMMISSION OF TEXAS</b></p> <p>2019 JUN 10 AM 11:13</p> <p>PUBLIC UTILITY COMMISSION FILING CLERK</p>
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**PETITIONERS' FIRST SET OF REQUESTS FOR INFORMATION TO BOLIVAR WATER SUPPLY CORPORATION**

Pursuant to 16 TAC §§ 22.141-145, LGI Homes Texas, LLC, Big Sky LLC, and Mindy L. Koehne (Trustee) (together, "Petitioners"), request that Bolivar Water Supply Corporation ("Bolivar") provide the information requested in this document in accordance with the definitions, explanatory notes, and instructions below within twenty (20) working days of receipt thereof. It is further requested that the answers to the requests for information be made under oath. Each answer should identify the person responsible for preparing it (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can attest to its accuracy. These requests are continuing in nature, and should there be a change in circumstances that would modify or change an answer supplied, such changed answer should be submitted immediately as a supplement to the original answer.

Date: June 10, 2019

Respectfully submitted,

**FOLEY GARDERE  
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**CERTIFICATE OF SERVICE**

I hereby certify a true and correct copy of the foregoing instrument has been served via facsimile or U.S. First Class Mail to all parties of record in this proceeding on June 10, 2019.

  
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Andres Medrano

**PETITIONERS' FIRST SET OF REQUESTS FOR INFORMATION TO BOLIVAR  
WATER SUPPLY CORPORATION**

**1-1** For this RFI refer to Bolivar Water Supply Corporation's Original Answer and Motion to Intervene ("Answer"). On page 2 of the Answer, Bolivar states that it is "ready willing and able to provide continuous and adequate water utility service to its certificated service areas."

Please confirm that the properties depicted in the Petition filed by Petitioners on April 10, 2019 and clarified in the Response to Order No. 2 filed on May 28, 2019 is within Bolivar's exclusive service territory for water service as authorized by its certificate of convenience and necessity No. 11257 ("CCN").

**1-2** For this RFI refer to Bolivar Water Supply Corporation's Original Answer and Motion to Intervene ("Answer"). On page 2 of the Answer, Bolivar states that it is "ready willing and able to provide continuous and adequate water utility service to its certificated service areas."

Please describe the conditions that Bolivar intends to impose upon Petitioners for the provision of water utility service. Specifically, identify any costs that Bolivar will require be paid by Petitioners before the work to ultimately provide water utility service will be initiated.

**1-3** Identify the number of water utility service connections, by customer type, currently served by Bolivar pursuant to its CCN No. 11257.

**1-4** Confirm that Bolivar does not have a CCN for sewer utility service applicable to the properties identified in the Petition filed by Petitions on April 10, 2019.

**1-5** For this RFI refer to Bolivar Water Supply Corporation's Original Answer and Motion to Intervene ("Answer"). On page 2 of the Answer, Bolivar states that it "has Texas Commission on Environmental Quality (TCEQ) quality service capacities in place to day or in the planning and development phase."

Describe the TCEQ "quality service capacities" that Bolivar has "in place today or in the planning and development phase" and describe how they relate to the provision of water utility service to the properties identified in the Petition filed by Petitioners on April 10, 2019.

**1-6** For this RFI refer to Bolivar Water Supply Corporation's Original Answer and Motion to Intervene ("Answer"). On page 2 of the Answer, Bolivar states that "[p]resumably some of these service capacities would be rendered useless if the petition is granted."

Please specifically describe in what manner Bolivar's quality service capacities "would be rendered useless if the petition is granted."

**1-7** Refer to RFI No. 1-6. Specify what costs would be incurred on Bolivar if its quality service capacities were "rendered useless" and specify what amount of compensation Bolivar would seek in the event that the Petition is granted.

**1-8** Refer to RFI No. 1-6. Identify and describe the legal or factual theories to support the implied contention that Bolivar has a vested property right in "quality service capacities" that would require compensation from a governmental entity if the Petition is granted.

**1-9** Admit or deny that Bolivar has communicated to Petitioners that it will require capital expenditures and/or commitments by Petitioners in the amount of approximately \$6 million before the work to ultimately provide water utility service will be initiated by Bolivar.

**1-10** If RFI No. 1-9 is denied, please identify the amount of capital expenditures and/or commitments that will be required from Petitioners before the work to ultimately provide water utility service will be initiated by Bolivar.

**1-11** Admit or deny that Bolivar has communicated to Petitioners that it intends to maintain ownership of all capital improvements and water service facilities that will be paid for by the Petitioners' expenditures and/or financial commitments of approximately \$6 million once those improvements and facilities are constructed and placed in service.

**1-12** If RFI No. 1-11 is denied, please explain why, including a corrected calculation of the amount of expenditures or commitments that will be required from Petitioners.

**1-13** Admit or deny that Bolivar intends to collect revenue from the service provided by the capital improvements and water service facilities that will be paid for by the Petitioners' expenditures and/or financial commitments of approximately \$6 million once those improvements and facilities are constructed.

**1-14** If RFI No. 1-13 is denied, please explain why, including a corrected calculation of the amount of expenditures or commitments that will be required from Petitioners.