



Control Number: 50200



Item Number: 2007

Addendum StartPage: 0



SOAH DOCKET NO. 473-20-3110.WS

PUC DOCKET NO. 50200

**APPLICATION OF UNDINE TEXAS, § BEFORE THE STATE OFFICE
LLC AND UNDINE TEXAS §
ENVIRONMENTAL, LLC FOR § OF
AUTHORITY TO CHANGE RATES § ADMINISTRATIVE HEARINGS**

**UNDINE TEXAS, LLC AND UNDINE TEXAS ENVIRONMENTAL, LLC'S
RESPONSE TO COUNTRY VISTA HOMEOWNERS COMMITTEE'S
FIRST REQUEST FOR INFORMATION**

Undine Texas, LLC and Undine Texas Environmental, LLC (together, Undine) file this Response to the First Request for Information (RFI) filed by Country Vista Homeowners Committee (CVHC). The discovery request was received by Undine on May 18, 2020; therefore these responses are timely filed. Pursuant to 16 Tex. Admin. Code (TAC) § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

If a responsive document exceeds 99 pages, the response will indicate that the attachment is voluminous. Voluminous documents will be provided electronically, and pursuant to 16 TAC § 22.144(h)(2), the document will be made available for inspection at the offices of Undine's attorneys, Lloyd Gosselink Rochelle and Townsend, P.C., located at 816 Congress Avenue, Suite 1900, Austin, Texas 78701. Please call Hanna Campbell at 512-322-5871 during regular business hours, to make an appointment to review the documents.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE
& TOWNSEND, P.C.**

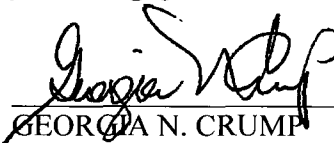
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ATTORNEYS FOR UNDINE TEXAS, LLC AND
UNDINE TEXAS ENVIRONMENTAL, LLC

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on June 1, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.



GEORGIA N. CRUMP

SOAH DOCKET NO. 473-20-3110.WS

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**UNDINE TEXAS, LLC AND UNDINE TEXAS ENVIRONMENTAL, LLC'S
RESPONSE TO COUNTRY VISTA HOMEOWNERS COMMITTEE'S
FIRST REQUEST FOR INFORMATION**

CVHC 1-1 When was the CV WWTP constructed? Please identify who designed it, who built it, and who installed it. At the time of installation what was the minimum plant life expectancy?

RESPONSE: The Country Vista WWTP was constructed in 1995. Santec Corporation designed and built it. The original life expectancy was 25 years.

Prepared by: Benny Wilkinson
Sponsored by: William A. Thomas

**UNDINE TEXAS, LLC AND UNDINE TEXAS ENVIRONMENTAL, LLC'S
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CVHC 1-2 In 2013, EMCAD Water and Wastewater LLC (EMCAD) represented by Don Clayton purchased the assets of Country Vista WWTP, LLC, holder of CCN #21019¹. In 2016 Undine acquired EMCAD², then represented by Donald Clayton. Please admit or deny the Don(ald) Clayton representing EMCAD is one and the same person as Donald J. Clayton who testified on behalf of your application for authority to change rates.

RESPONSE: Admit. Donald J. Clayton was an owner of EMCAD and is the same Donald J. Clayton who prepared pre-filed testimony in this rate application.

Prepared by: Benny Wilkinson
Sponsored by: Donald J. Clayton

¹ PUC Docket No. 42993

² PUC Docket No. 45745

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CVHC 1-3 If you admit to 1-2 above, please identify all other facilities in your application that were acquired from entities fully or partially owned or controlled by Don(ald) Clayton.

RESPONSE: No other facilities in this rate application were acquired from entities fully or partially owned or controlled by Don(ald) Clayton.

Prepared by: Benny Wilkinson
Sponsored by: Donald J. Clayton

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CVHC 1-4 In Undine's application for approving the purchase of voting stock in Emcad, Docket No. 45745 it states in Attachment "H" "THERE ARE NO KNOWN CAPITAL IMPROVEMENTS NEEDED AT THIS TIME". With regards to CV WWTP what capital improvements were subsequently determined to be needed and what were the associated costs?

RESPONSE: At the time of acquisition it was determined that the projected upgrades would be cost prohibitive until such time that they became compliance requirements or until Undine had acquired additional sewer customers, sufficient to spread the cost across a larger base, without having such a significant impact on one small system's rates. Undine is currently planning to perform the upgrades. Please refer to Attachment CVHC 1-5 for a list of Santec Corporation's suggested capital improvements with estimated costs.

Prepared by: Benny Wilkinson

Sponsored by: William A. Thomas