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#### **DOCKET NO. 50251**

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APPLICATION OF JRM WATER LLC AND CSWR-TEXAS UTILITY OPERATING COMPANY, LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN VICTORIA COUNTY

# D. 50251 2019 NOV 26 PM 2: 08 PUBLIC UTILITER FORMULASION OF TEXAS

## CSWR-TEXAS UTILITY OPERATING COMPANY, LLC'S DESIGNATION OF PROTECTED MATERIALS

Pursuant to the protective order entered in this proceeding,<sup>1</sup> CSWR-Texas Utility Operating Company, LLC ("CSWR Texas") is designating certain confidential material filed as part of its application as Protected Materials. The undersigned counsel for CSWR Texas has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act and merits the Protected Materials designation.

Confidential Attachment G contains the consolidated balance sheet, income statement, and statement of cash flows for CSWR's parent company, CSWR, LLC, and its subsidiaries. This information is not publicly available, is commercially sensitive, and public disclosure of the information would cause substantial competitive harm to CSWR, LLC and its subsidiaries, including CSWR Texas. Any other entity that seeks to acquire water utilities in Texas and elsewhere could use the financial information to its competitive advantage, to the detriment of CSWR, LLC and its subsidiaries. Accordingly, the information contained in Confidential Attachment G is exempt from public disclosure under Tex. Gov't Code §§ 552.101, 552.104 and 552.110.

Confidential Attachment J is an engineering report that is the proprietary information of a third-party engineering firm. Public disclosure of the information would cause substantial competitive harm to the engineering firm by allowing other engineering companies to copy its analyses and approach. Public disclosure could also negatively impact the engineering firm's willingness to perform services for CSWR Texas in the future. Accordingly, the information contained in Confidential Attachment J is exempt from public disclosure under Tex. Gov't Code §§ 552.101 and 552.104.

<sup>&</sup>lt;sup>1</sup> SOAH Order No. 1 at 2.

Respectfully submitted,

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### **ATTORNEYS FOR CENTRAL STATES** WATER RESOURCES, INC.

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of November 2019, a true and correct copy of the foregoing document was served on all parties of record in accordance with 16 Tex. Admin. Code § 22.74.

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