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SOAH DOCKET NO. 473-20-4709.WS  
PUC DOCKET NO. 50944

**APPLICATION OF MONARCH UTILITIES I L.P. FOR AUTHORITY TO CHANGE RATES** § **BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**MONARCH UTILITIES I L.P.'S FIRST REQUESTS FOR INFORMATION TO OFFICE OF PUBLIC UTILITY COUNSEL**

To: Office of Public Utility Counsel (OPUC), by and through its attorney of record, Chris Ekoh, 1701 North Congress Avenue, Suite 9-180, P. O. Box 12397, Austin, Texas 78711-2397.

This document is directed to OPUC.

Pursuant to 16 TEX. ADMIN. CODE § 22.144 and the Texas Rules of Civil Procedure, Monarch Utilities I L.P. (Monarch) propounds to the Office of Public Utility Counsel (OPUC) the requests for information set forth in the attached Exhibit "A".

On or before November 18, 2020, OPUC must answer each of the requests for information separately, fully, in writing, and under oath and serve a signed copy of the answers to these requests upon counsel for Monarch, Lambeth Townsend, at the following address: Lloyd, Gosselink, Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

All definitions and instructions governing discovery in the Texas Rules of Civil Procedure, the procedural rules of the Public Utility Commission of Texas (PUC), and the State Office of Administrative Hearings (SOAH) and all applicable orders issued herein shall apply to these discovery requests. Specific definitions and instructions are set forth below.

Unless written requests for clarification are received by the undersigned, it shall be presumed that all requests are fully and completely understood.

If the items requested to be produced herein have already been provided in other discovery answers to Monarch or to another party, it shall not be necessary to duplicate such

production. It shall be sufficient that the answer containing the requested information is clearly identified. Where only a portion of the requested information has been previously provided, this shall be disclosed and all information necessary to fully and completely answer this discovery request shall be provided in your answer.

If the answer to any request consists of a document(s) obtained by the answering party from Monarch, it shall not be necessary to produce the document. It shall only be necessary to describe the document, its date, subject matter, and when/how it was obtained from Monarch. If the requested document is found in the public records of the PUC or other governmental agency, the answering party shall describe the exact location, file name, and custodian from whom the specific referenced document can be obtained.

## I. DEFINITIONS

The following definitions apply to all of the requests for information in their entirety, including the instructions noted below:

1. "Monarch Utilities" means Monarch Utilities I L.P. and any entity or person acting or purporting to act on its behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, independent contractors, or other persons.
2. "Commission" means the Public Utility Commission of Texas.
3. "Communication" means any oral, written, or electronic statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions, or symposium of which OPUC has knowledge, information, or belief.
4. "Concerning" means, in whole or in part, directly or indirectly, referring to, relating to, being connected with, commenting on, responding to, showing, describing, analyzing, reflecting, embodying, mentioning, or constituting the subject matter identified in the request.
5. "Date" means the exact day, month, and year, if ascertainable or, if not, the best approximation.
6. "Describe" or "identify," when used in reference to a **document**, means you must state, to the fullest extent possible, the following:
  - (a) The nature (*e.g.*, letter, handwritten note) of the document;
  - (b) The title or heading that appears on the document;
  - (c) The date of the document and the date of each addendum, supplement, or other addition or change;
  - (d) The identity of: the author of the document; any signatory or signatories of the document; and the person on whose behalf or at whose request or direction the document was prepared or delivered; and
  - (e) The present location of the document, and the name, address, position or title, and telephone number(s) of the person(s) having custody of the document.
7. "Describe" or "identify," when used in reference to an **entity**, means you must state, to the fullest extent possible, the following:
  - (a) The entity's full and correct legal name;
  - (b) The nature of the entity's structure and/or organization;

- (c) The address, telephone and fax number of the entity's principal offices;
  - (d) The principal line(s) of the entity's business or activity; and
  - (e) The officer, employee, or agent most closely connected with the subject matter of the request for information, and the officer who is responsible for supervising that officer or employee.
8. "Describe" or "identify," when used in reference to a **person or individual**, means you must state, to the fullest extent possible, the following:
- (a) The individual's full name;
  - (b) The individual's present or last known residential address, including zip code;
  - (c) The individual's present or last known occupation, job title, employer, employer's address, including zip code, and employer's telephone and facsimile number(s);
  - (d) The occupation, job title, employer, and employer's address at the time of the event or period referred to in each particular request for information; and
  - (e) In the case of any person other than an individual, identify the officer, employee, or agent most closely connected with the subject matter of the request for information, and the officer who is responsible for supervising that officer or employee.
9. "Document(s)" or "documentation" means all written, typed, or printed matters, and all magnetic or other records, papers, or documentation of any kind or description (including, without limitation, letters, correspondence, telegrams, memoranda, notes, minutes, contracts, agreements, notations of telephone or in-person conversations, conferences, inter-office communications, e-mail, microfilm, bulletins, circulars, accounts, writings, drawings, graphs, charts, pamphlets, books, facsimiles, invoices, tape recordings, video recordings, photographs, computer printouts and work sheets), including all originals and all drafts and copies not identical to the originals, all photographs and graphic matter, however produced or reproduced, and all compilations of data from which information can be obtained, and any and all writings or recordings of any type or nature, whether or not prepared by you, in your actual possession, custody, or control, including those in the possession, custody, or control of any and all present or former directors, officers, employees, representatives, consultants, accountants, attorneys, agents, other natural persons, business or legal entities, presently or formerly acting in concert with, under the direct or indirect control of, or on behalf of Opposing Party.
10. "Entity" means any partnership, association, corporation, joint venture, firm, proprietorship, agency, board, authority, commission, governmental body, trust, contractor, or any other organization, legal or business entity, and all other predecessors or successors in interest.
11. "Person(s)" or "Individual(s)" means any natural person.

12. “Possession, custody or control” of an item means that the person either has physical possession of the item or has a right to possession of the item that is equal or superior to the person who has physical possession of the item.
13. The word “and” means “and/or.”
14. The word “or” means “or/and.”
15. “You,” and “your,” means OPUC, its agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of OPUC.
16. “Monarch’s Application” means the Application of Monarch Utilities I L.P. for Authority to Change Rates, filed with the Commission on June 15, 2020, and which is the subject matter of PUC Docket No. 50944.

## II. INSTRUCTIONS

1. As to any request for information to which you are unable to respond to in whole or in part, for any reason, please state the grounds for your inability to respond. When you believe that a complete answer to a particular request for information or part thereof is not possible, please answer each request for information to the extent possible and furnish a statement explaining: 1) the reason for your inability to respond further; and 2) whatever information or knowledge you have concerning the non-responsive portion.
2. For each document or other requested information that you assert is privileged, please comply with the requirements of Rule 193.3 of the Texas Rules of Civil Procedure and P.U.C. PROC. R. 22.144.
3. For every document that no longer exists or cannot be located: identify the document; state how and when the document passed out of existence, or when it could no longer be located; and state the reason(s) for the disappearance; identify each person having knowledge about the disposition or loss of the document; and identify each document evidencing the existence or nonexistence of each document that cannot be located.
4. It is requested that all documents that might impact on the subject matter of Monarch's Application be preserved and that any ongoing process of document destruction involving such documents cease.
5. Furnish all requested documents available to you and known by you, or in your possession, custody, or control or that of your agents and attorneys.
6. In those instances where you choose to answer a request for information by referring to a specific document or record, it is requested that the specification be in sufficient detail to permit Monarch to locate and identify the record(s) and/or document(s) from which the answer is to be ascertained, as readily as can OPUC.
7. In those instances when requested information or documents are stored only on software, computer based information, or other data compilations, you should either produce the raw data along with all codes and programs for translating it into usable form, or produce the information or documents in a finished usable form that includes all necessary glossaries, keys, and indices for interpretation of the material.
8. Please respond to each request for information and indicate clearly the request for information to which each response is responsive. When requests for information contain subparts, indicate in your answer the subpart to which each particular part of your response is in response.
9. You are under a duty to supplement your responses to these requests for information that are incomplete or incorrect when made. Furthermore, you are under a duty to timely supplement and/or amend your responses if you receive, obtain, or generate information within the scope of any request for information between the time of the original responses and the conclusion of this proceeding.

10. Unless otherwise indicated, the discovery requested in these requests for information relate to the time period from January 1, 1999, through and including the present. All requested documents, data compilations, and recordings whenever actually prepared or generated that relate to this time period are to be produced.

Respectfully submitted,

**LLOYD, GOSSELINK,  
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/s/ William A. Faulk, III

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**ATTORNEYS FOR MONARCH UTILITIES I  
L.P.**

**CERTIFICATE OF SERVICE**

I hereby certify that notice of the filing of this document was provided to all parties of record via electronic mail on November 4, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ William A. Faulk, III

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WILLIAM A. FAULK, III

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**EXHIBIT A**

**SOAH DOCKET NO. 473-20-4709.WS  
PUC DOCKET NO. 50944**

**MONARCH'S FIRST REQUESTS FOR INFORMATION  
TO OFFICE OF PUBLIC UTILITY COUNSEL**

**MONARCH 1-1:** Reference page 51 of the direct testimony of Chris Ekrut. Please provide any studies, analyses, or other justification to support your position the 50% reduction in O&M expenses that would likely occur if the maintenance of commercial or multi-family lift stations would be the responsibility of the customer instead of Monarch.

**MONARCH 1-2:** Please refer to the list of entities Chris Ekrut has provided Cost of Service and Rate Design Studies for (Attachment CDE-A page 2 of 6).

- a. How many of these entities have separate Purchased Water or Purchased Wastewater clauses in their customer bills, rate schedules, or tariffs?
- b. How many of these entities has Chris Ekrut recommended that they implement a separate clause or billing charge for Purchased Water or Purchased Wastewater?