

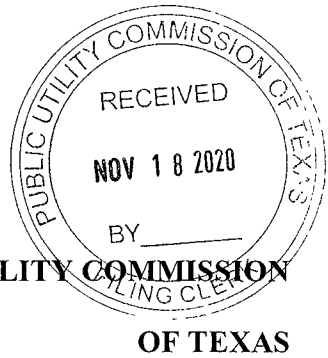


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DOCKET NO. 51224

**COMPLAINT OF JOHN BLALOCK §
AGAINST MERCY WATER SUPPLY §
CORPORATION §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**MERCY WATER SUPPLY CORPORATION'S
FIRST REQUEST FOR INFORMATION TO COMPLAINANT**

TO: Complainant, John Blalock ("Mr. Blalock").

COME NOW, Mercy Water Supply Corporation, and serve this, their First Request for Information to the Complainant, pursuant to 16 Tex. Admin. Code Ann. § 22.144 ("TAC"), and request Mr. Blalock, by and through his attorney of record, provide the following information and answer the following question(s) under oath. The question(s) 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 question(s) 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 responses to the Requests for Information by filing with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer pursuant to the Order Suspending Rules in Docket No. 50664.

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Respectfully submitted,




By: Katelyn A. Hammes

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ATTORNEYS FOR MERCY WATER
SUPPLY CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that I have served or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail and/or Certified Mail Return Receipt Requested to all parties on this the 18th day of November, 2020.



Katelyn A. Hammes

PUC DOCKET NO. 51224

**MERCY WATER SUPPLY CORPORATION'S
FIRST REQUEST FOR INFORMATION TO COMPLAINANT**

**I.
DEFINITIONS**

The following definitions apply herein unless otherwise indicated by the content or expressly stated:

1. The words “and” and “or” shall be construed either conjunctively or disjunctively, as required by the context, to bring within the scope of these discovery requests any response or document that might be deemed outside its scope by another construction.
2. “Communication” shall mean and include every manner or means of transmittal, disclosure, transfer, or exchange of information, and every form of transmission, disclosure, transfer or exchange of information, whether orally, electronically, or by document, and whether face-to-face, by telephone, mail, personal delivery, computer or otherwise.
3. “Concerning,” “relating to,” or “regarding,” and similar terms mean addressing, analyzing, referring, discussing, mentioning in any way, explaining, supporting, describing, forming the basis for, or being logically or casually connected in any way with the subject of these discovery requests.
4. “Describe” or “describe in detail” means to give a complete and full description concerning the matter about which the inquiry is made, including the full name, address, and telephone number(s) of the person(s) involved, dates, times, places, and other particulars, including all relevant documents and observations which make the answers to these written discovery requests fair and meaningful.
5. “Document” means any documents or tangible items made discoverable by Texas Rule of Civil Procedure 192.3, and includes all originals and non-identical copies of any written, recorded, or graphic matter such as all documents, papers, books, accounts, writings, drawings, graphs, charts, maps, surveys, photographs, electronic or videotape recordings, electronic mail (e-mail), phone records, recordings, other data compilations from which information can be obtained and translated by you, if necessary, into reasonably useable form and tangible things.
6. To “identify” an individual means to state the following about that individual: (i) the person’s full name; (ii) the person’s job title or former job title; (iii) the person’s job (or former job) duties and responsibilities; (iv) the individual’s superior(s); (v) current or last known telephone number(s); and (vi) current or last known business and home addresses.

7. To “identify” a person as defined herein other than an individual means to provide the following information: (i) the entity’s full and correct legal name; (ii) the nature of the entity’s structure and/or organization; (iii) the address and telephone number of its principal offices and, if applicable, the state in which it is incorporated; and (iv) its principal line(s) of business or activity.
8. To “identify” an act, event, occurrence, or communication means the following: (i) to state its date; (ii) to identify the persons that were parties to and/or witnesses of the act, event, occurrence, or communication; (iii) to describe where and how it took place; and (iv) to identify any document that constitutes or refers to such act, event, occurrence, or communication.
9. To “identify” a document means the following: (i) to identify all files in which it and all copies of it are found; (ii) to identify its author; (iii) to identify its addressees, if any; (iv) to identify those persons who received a copy thereof; (v) to identify its current custodian or the person that had last known possession, custody, or control thereof; (vi) to state the date of its preparation; and (vii) to state its general subject matter giving a reasonably detailed description thereof.
10. “Mercy” refers to Mercy Water Supply Corporation.
11. “Mr. Blalock” or “you” refers to John Blalock and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
12. “Northern Tract” refers to the property currently located at 1611 Bowen Loop Rd., Cleveland, TX 77328.
13. “Person” or “Persons” means any natural person, corporation, association, firm, partnership, or other business or legal entity and officers, employees, agents, attorneys, servants or representatives of such entity, as the context requires.
14. “PUC” or “Commission” refers to the Public Utility Commission of Texas and all predecessor agencies with similar responsibilities, including the Texas Commission on Environmental Quality, Texas Natural Resource Conservation Commission, Texas Water Commission, and Texas Department of Health.
15. “Relate” or “relating to” means making or including a statement about, discussing, describing, reflecting, consisting of, constituting, comprising or in any way concerning in whole or in part the subject or thing.
16. “Service” has the same meaning as defined by Texas Water Code § 13.002(21) (2019).
17. “Southern Tract” refers to the property currently located at 1601 Bowen Loop Rd., Cleveland, TX 77328.
18. “Statement” means and includes any written or graphic statement signed or otherwise adopted or approved by the user in making it, and stenographic, mechanical, electrical or

other recording or transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

II.

INSTRUCTIONS

1. These discovery requests must be answered in strict compliance with the orders of the Administrative Law Judge hearing this Docket, the Texas Rules of Civil Procedure, and the rules of the PUC.
2. Your answers to the interrogatories must be answered separately and fully in writing, and the answers must be signed and verified under oath by the person making the answers.
3. In those instances when the responding party chooses to answer an interrogatory by referring to a specific document or record, the specification must be in sufficient detail to permit the requesting party to locate and identify the records and/or documents from which the answer is to be ascertained as readily as the party served with the request.
4. Whenever you are asked in these discovery requests to describe, identify or produce documents, the term “documents” is not limited to documents in your actual or constructive possession, custody or control (as defined by Texas Rule of Civil Procedure 192.7(b)), but also includes all documents that you know to exist or which have existed, or which you have reason to suspect to be in existence or to have been in existence, irrespective of whether the document is one intended for or transmitted internally by you or intended for or transmitted to any other person or entity, including without limitation any governmental agency, department, administrative entity, or their personnel.
5. Whenever you are asked in these discovery requests to describe or identify documents that once existed but which no longer exist, in addition to identifying the documents, please indicate the approximate date and the circumstances under which the documents ceased to exist. Whenever you are asked in these discovery requests to describe or identify documents that are not in your actual or constructive possession, custody, or control, as those terms are defined in Texas Rule of Civil Procedure 192.7(b), please identify (by name, address, and telephone number) the person whom you believe to have such possession, custody, or control.
6. If a discovery request calls upon you to state your legal or factual contentions and/or the legal or factual basis for your contentions in this lawsuit, you should respond in accordance with Texas Rule of Civil Procedure 192.3(j). Such requests do not seek to require you to marshal all of your evidence.
7. As used in these discovery requests, the singular and masculine form of a noun or pronoun includes the plural, feminine, or the neuter form, where appropriate.
8. As used in these discovery requests, the past tense includes the present tense where the express meaning of the request is not distorted by that usage, and the verb form of a noun or pronoun may be used as appropriate in a particular context.

III.

DUTY TO SUPPLEMENT

You are under a duty to supplement any responses that are incomplete or incorrect when submitted. Furthermore, you are under a duty to amend your responses within a reasonable time after you obtain information on the basis of which you know that a response either (1) was incorrect or incomplete when submitted or, (2) although correct and complete when submitted, is no longer correct and complete, and the circumstances are such that failure to amend the response is, in substance, misleading.

IV.

REQUESTS FOR INFORMATION

MERCY'S REQUEST TO MR. BLALOCK 1-1. Please identify the addresses, physical locations, and dates of residence for each place you lived between August 1, 1995 and March 17, 2020.

MERCY'S REQUEST TO MR. BLALOCK 1-2. Please identify the water provider(s) you received service from for each location identified in your answer to Request for Information (RFI) 1-1.

MERCY'S REQUEST TO MR. BLALOCK 1-3. Please identify when you received service from Mercy and the applicable dates and location for such service from August 1, 1995 and March 17, 2020.

MERCY'S REQUEST TO MR. BLALOCK 1-4. Please describe any communication between you and anyone regarding Mercy's service to the Northern Tract.

MERCY'S REQUEST TO MR. BLALOCK 1-5. Please provide any documents relating to your answer to RFI 1-4.

MERCY'S REQUEST TO MR. BLALOCK 1-6. Admit or deny that a mobile home, trailer, or other similar structure or accommodation was located on the Southern Tract at any time between August 1, 1995 and March 17, 2020.

MERCY'S REQUEST TO MR. BLALOCK 1-7. Please identify the dates that a mobile home, trailer, or other similar structure or accommodation was located on the Southern Tract from August 1, 1995 and March 17, 2020.

MERCY'S REQUEST TO MR. BLALOCK 1-8. Admit or deny that you have ever resided or lived on the Southern Tract.

MERCY'S REQUEST TO MR. BLALOCK 1-9. If your answer to RFI 1-8 is admit, identify the dates of your residence on the Southern Tract; identify the persons that were parties to and/or witnesses of your residence on the Southern Tract; describe where and how it took place; and identify any document that constitutes or refers to your residence on the on the Southern Tract. If your answer to RFI 1-8 is anything other than admit, please describe in detail the basis for your answer.

MERCY'S REQUEST TO MR. BLALOCK 1-10. Please describe how the Southern Tract obtained water service from August 1, 1995 and March 17, 2020.

MERCY'S REQUEST TO MR. BLALOCK 1-11. Please provide any documents relating to your answer to RFI 1-10.

MERCY'S REQUEST TO MR. BLALOCK 1-12. Admit that the water service line for the Northern Tract crosses the Southern Tract. If deny, describe in detail the route this service line follows.

MERCY'S REQUEST TO MR. BLALOCK 1-13. Admit that there is no recorded easement for the water service line that crosses the Southern Tract to serve the Northern Tract. If deny, produce any documents relating to the water service line and easement.

MERCY'S REQUEST TO MR. BLALOCK 1-14. In your Response to Mercy's Response to Complaint, filed September 24, 2020, you refer to "connections" to the service line that connects the meter on the Southern Tract to the house on the Northern Tract. Please describe in detail the locations of all service line faucets or "connections."

MERCY'S REQUEST TO MR. BLALOCK 1-15. In your Response to Mercy's Response to Complaint, filed September 24, 2020, you refer to "connections" to the service line that connects the meter on the Southern Tract to the house on the Northern Tract. Please describe in detail when, how, and by who the faucets or "connections" to the service line were installed.

MERCY'S REQUEST TO MR. BLALOCK 1-16. In your Response to Mercy's Response to Complaint, filed September 24, 2020, you refer to Southern Tract "connections" to the service line that connects the meter on the Southern Tract to the house on the Northern Tract. Please describe all purposes for which the faucets or "connections" to the service line, including those on the Southern Tract, have been used between August 1, 1995 and March 17, 2020.

MERCY'S REQUEST TO MR. BLALOCK 1-17. In your Response to Mercy's Response to Complaint, filed September 24, 2020, you stated you believed that you had owned the Southern Tract. Please identify, describe, and produce any documents relating to your belief the Northern and Southern Tracts were combined into one property.

MERCY'S REQUEST TO MR. BLALOCK 1-18. In your Response to Mercy's Response to Complaint, filed September 24, 2020, you stated you believed that you had owned the Southern Tract. Please describe any ownership interest you had in the Southern Tract between August 1, 1995 and March 17, 2020, and produce any documents relating to your interest in the Southern Tract.

MERCY'S REQUEST TO MR. BLALOCK 1-19. For the purposes of this RFI, "Gloria Meeks" and "Gloria Hales" refers to the person referenced in the Partition Deed and Right-of-Way Easement filed as Exhibits D and F, respectively, to Mercy's Response to Complaint (Sept. 24, 2020). Please describe your relationship to Gloria Meeks and Gloria Hales, and any ownership interest you believed she had in the Northern Tract.

MERCY'S REQUEST TO MR. BLALOCK 1-20. For the purposes of this RFI, "Ms. Reva Ivey" refers to the individual who signed the Service Agreement filed as Exhibit E to Mercy's Response to Complaint (Sept. 24, 2020). Please describe your relationship to Ms. Reba Ivey and any ownership interest you believed she had in the Southern Tract.

MERCY'S REQUEST TO MR. BLALOCK 1-21. Please produce any documents relating to your ownership of the Northern and Southern Tracts.

MERCY'S REQUEST TO MR. BLALOCK 1-22. For the purposes of this RFI, "Ms. Reva Ivey" refers to the individual who signed the Service Agreement filed as Exhibit E to Mercy's Response to Complaint (Sept. 24, 2020). Please identify, describe, and produce any verbal or written notices you received or have knowledge of related to a full or partial liquidation of Ms. Reba Ivey's Membership and any steps you may have taken as a result.

MERCY'S REQUEST TO MR. BLALOCK 1-23. Describe in detail your understanding of the reason the meter that services the Northern Tract was installed on the Southern Tract.

MERCY'S REQUEST TO MR. BLALOCK 1-24. Identify and produce any documents relating to your answer to RFI 1-23.