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DOCKET NO. 51933

**PETITION OF MONTGOMERY
ESTATES, LLC TO AMEND C C
WATER WORKS, INC.'S WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY NO. 13038 IN
CHAMBERS COUNTY BY
STREAMLINED EXPEDITED
RELEASE UNDER TEXAS WATER
CODE § 13.2541 AND 16
TAC § 24.245(h)**

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**PUBLIC UTILITY COMMISSION

OF TEXAS**

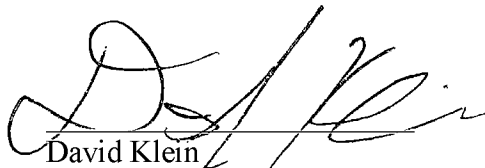
**MONTGOMERY ESTATES, LLC'S FIRST REQUEST FOR INFORMATION
TO CC WATER WORKS, INC.**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144, comes now Montgomery Estates, LLC (Montgomery Estates), by and through its undersigned attorneys of record, and files its First Request for Information (RFI) to CC Water Works, Inc. (CCWW).

Respectfully submitted,

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

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**ATTORNEYS FOR MONTGOMERY
ESTATES, 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 December 10, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.



David Klein

INSTRUCTIONS

The following paragraphs include instructions and definitions that apply to the requests for information that are contained in this discovery request. Unless otherwise clearly indicated within the context of a specific interrogatory herein, the definition of each term provided below applies whether the term is used or defined in the singular or plural.

Pursuant to 16 TAC § 22.144(c)(2), Montgomery Estates requests that answers to the RFIs be made under oath.

Please copy the RFI, as applicable, immediately above the answer to each question and state the name of the witness in the cause who will sponsor the answer to the question and can vouch for the truth of the answer. Please answer the following written questions fully and in writing, based on all information reasonably available to you or your attorney at the time your response is made.

Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

In those instances when you choose to answer an RFI propounded herein by referring to a specific document or record, please specify the same in sufficient detail to permit Montgomery Estates to locate and identify the records or documents from which the answer is to be ascertained as readily as could you.

If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: (i) date; (ii) sender; (iii) recipient or copies; (iv) subject matter of the document; and (v) the basis upon which such privilege is claimed.

You are under a continuing duty to supplement your answers to these RFIs if you discover that they were incomplete or incorrect when made, or if you discover that they are no longer complete and correct. Supplementation must be made reasonably promptly after you discover the need for supplementation.

DEFINITIONS

1. **“You” and “Your”** refers to CC Water Works, Inc., named as a Party in PUC Docket No. 51933.
2. **“CCWW”** refers to CC Water Works, Inc. and its officers, employees, 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 CCWW.
3. **“Montgomery Estates”** refers to Montgomery Estates, LLC and its officers, employees, 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 Montgomery Estates.

4. “**Commission**” or “**PUC**” refers to the Public Utility Commission of Texas, an administrative agency of the State of Texas, and its Staff, Commissioners, and other natural persons employed by and working for the agency.
5. “**Staff**” refers to the natural persons employed by and working for the Public Utility Commission in any capacity.
6. “**Petition**” refers to Montgomery Estates’ Petition to Amend CCWW’s Certificate of Convenience and Necessity in Chambers County by Expedited Release, filed on March 24, 2021, that is the subject matter of this Docket, filed at the Commission, as supplemented.
7. “**CCN**” refers to a certificate of public convenience and necessity to provide retail water service, issued by the Commission or its predecessor agencies.
8. “**Document**” and “**Documents**” are used herein in their broadcast sense as set forth in Tex. R. Civ. P. 192.3(b), and specifically include electronic information or magnetic data as described in Rule 196.4. These words mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms “Document” and “Documents” shall include all agreements, contracts, Communications, correspondence, letters, opinion letters, telegrams, telexes, telefaxes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations or interviews, minutes, summaries, or other records of meetings and conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, progress reports, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, charts, tables, accounts, analytical records, consultants’ and experts’ reports, appraisals, bulletins, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfiche, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs and data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer stored, magnetically-stored, optically-stored, or electronically stored matter and Electronic Information, however produced, prepared, reproduced, disseminated, made or stored in any data source. The words “Document” and “Documents” also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that do not contain any markings, additions, or deletions that are different from the original do not have to be separately produced.
9. “**Communication**” includes, without limitation of its generality, statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and

symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by any media such as intercoms, telephones, television, radio, or computer including electronic information.

10. “**Electronic information**” includes, without limitation, the following: databases, data files, program files (e.g. .DOC, .DOCX, .TXT, .XLS, .WPD files), image files (e.g. .JPEG, .TIFF, .PDF files), email messages and files, voice mail messages and files, instant messaging messages, text messages, temporary files, system-history files, deleted files or emails, back up files and archival files, website files, website information stored in textual, graphical or audio format, cache files, and cookies.
11. “**Data sources**” includes, without limitation, mainframe computers, network servers, internet (“web”) servers, computers (including desktop, laptop and handheld computers), hard drives (including portable or temporary hard drives), flash drives (including thumb drives, secure digital cards or other flash memory devices), email servers, handheld devices like personal digital assistants and cell phones or smart phones (e.g. iPhones, BlackBerrys).
12. “**Relate**” or “**relating**” or “**regarding**” to any given subject, when used to specify a document, communication, statement, or correspondence mean any document, communication, statement or correspondence that constitutes, contains, evidences, embodies, reflects, identifies, states, discusses, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
13. “**Identify**,” when used in reference to a natural person means to provide his or her (1) full name and (2) present or last known position or business affiliation, job title, employment address, and telephone number (designating which).
14. “**Decertified Property**” means that area of land decertified from CCWW’s water CCN in Docket No. 51933.

MONTGOMERY ESTATES' FIRST REQUEST FOR INFORMATION
TO CC WATER WORKS

Petitioner's RFI 1-1 Please provide a current map of the existing CCWW water utility system.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-2 Please provide any and all current maps of the existing CCWW water utility system that identify and/or depict the location, size, and types of all water lines, storage facilities, and/or water treatment plants.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-3 Does the CCWW public drinking water system conform with applicable TCEQ requirements? If not, please explain those non-conformities.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-4 Please provide the number of active retail water service connections served by CCWW's public drinking water system, as of December 10, 2021.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-5 Please provide copies of CCWW's audited financial statements, CAFRs, and/or Annual Financial Statements for the previous five (5) years.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-6 Please provide a copy of the detailed revenue and expense budget for CCWW for its current fiscal year.

Prepared by: _____; Sponsored by: _____

- Petitioner's RFI 1-7 Please provide the current capital improvement plan for CCWW or other documentation that includes a detailed description of each of the projects identified in the plan, including if it is for repairs and maintenance, growth related, etc.
- Prepared by: _____; Sponsored by: _____
- Petitioner's RFI 1-8 Please provide a detailed listing and valuation of all of CCWW's water utility system assets developed and currently existing for the express purpose of providing service to the Decertified Property.
- Prepared by: _____; Sponsored by: _____
- Petitioner's RFI 1-9 Please provide a comprehensive current water utility system asset listing for CCWW, including a description, original cost, and years in service. For treatment plant assets, please identify current treatment plant capacities for each asset/plant.
- Prepared by: _____; Sponsored by: _____
- Petitioner's RFI 1-10 Please provide information on any outstanding debt obligations of CCWW, including debt service schedules and detailed descriptions of the uses of the funds for each debt issue (i.e. asset maintenance, construction, design, etc.). Please specify the amount of debt that is allocable to the Decertified Property.
- Prepared by: _____; Sponsored by: _____
- Petitioner's RFI 1-11 Please provide any water utility system planning documents developed for CCWW over the past five (5) years. This would include, but is not limited to, any master plans, growth plans, development plans.
- Prepared by: _____; Sponsored by: _____
- Petitioner's RFI 1-12 Please provide current projections of future growth for the CCWW water utility system, including both customer account projections and demand needs. Please provide projections for a minimum of five (5) years.
- Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-13 Please provide water billed revenues identified by customer class by month from January 2017.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-14 Please provide a copy of any loans, notes, or other forms of debt that CCWW has entered into to provide, in whole or in part, retail water service to the Decertified Property, and provide the current balance of such debt.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-15 Please provide a copy of CCWW's current Tariff that has been approved by the Commission.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-16 Provide all contracts and/or agreements between CCWW and third parties that are active as of December 10, 2021 and that pertain in whole or in part to the provision of retail water service to the Decertified Property.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-17 Please provide a list of all water utility system facilities constructed or expanded by CCWW in response to a request for service from Montgomery Estates or any preceding owners of the Decertified Property. This list should include a description, original cost, years in service, and share attributed to Montgomery Estates or the preceding owner's request for service. This list should also differentiate between Montgomery Estates and the preceding owners of the Decertified Property.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-18 Please provide any and all documents and communications pertaining to a request for service at the Decertified Property from Montgomery Estates or the preceding owners.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-19 Please provide an itemized list of expenditures, along with the date of each expenditure, incurred by CCWW for the planning, design, and construction of any water utility service facilities, if any, that were intended to be used to serve the Decertified Property.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-20 Please provide a list of CCWW's existing customers within the Decertified Property and, if any, the amount of water billed by month to such existing customers in the last five (5) years.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-21 Please provide a detailed list of legal expenses and professional fees attributed to PUC Docket No. 51933.

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-22 As of the December 10, 2021, what is the total number of water utility service connections has CCWW contractually committed to serve, but not yet commenced providing retail water service?

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-23 What is total amount of water that CCWW has secured through: (i) groundwater rights; (ii) surface water rights; and (iii) a water supply contract from a wholesale provider?

Prepared by: _____; Sponsored by: _____

Petitioner's RFI 1-24 How has the provision of retail water service to CCWW's current retail water service customers have been or will be impaired by the decertification of the Decertified Property from CCWW's water CCN boundaries, if at all?

Prepared by: _____; Sponsored by: _____