



## Filing Receipt

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**PUC DOCKET NO. 52090**

<b>PETITION BY REDBIRD</b>	<b>§</b>	<b>BEFORE THE</b>
<b>DEVELOPMENT, LLC FOR</b>	<b>§</b>	
<b>EXPEDITED RELEASE</b>	<b>§</b>	
<b>FROM WATER CCN NO. 11052</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>HELD BY DOBBIN PLANTERSVILLE</b>	<b>§</b>	
<b>WATER SUPPLY CORPORATION</b>	<b>§</b>	<b>OF TEXAS</b>

**OBJECTIONS OF DOBBIN PLANTERSVILLE WSC TO  
REDBIRD DEVELOPMENT FIRST REQUESTS FOR INFORMATION**

TO: Redbird Development, LLC, by and through its counsel of record, Emily W. Rogers, Bickerstaff, Heath Delgado Acosta, LLP, 3711 S. MoPac Expressway, Building One, Suite 300, Austin, Texas 78746.

Dobbin Plantersville Water Supply Corporation (“Dobbin Plantersville” or “Respondent”) files this its Objections to Redbird Development, LLC’s (“Redbird”) Requests for Information (“RFIs”).

**I. BACKGROUND**

Pursuant to 16 Texas Administrative Code sections 22.141 and 22.144, Dobbin Plantersville files these objections to Redbird’s Requests for Information (“RFI”), which were filed with the Public Utility Commission of Texas and served on Dobbin Plantersville on July 21, 2021. These objections are timely filed pursuant to 16 Texas Administrative Code section 22.144(d).

**II. NEGOTIATIONS**

Counsel for Dobbin Plantersville and counsel for Redbird have discussed these objections and negotiated diligently and in good faith, but the parties have failed to reach an

agreement as to the appropriate scope of discovery in this proceeding, necessitating the filing of these objections.

### **III. GENERAL OBJECTIONS**

Dobbin Plantersville objects to any request to the extent that it may be construed as requiring information that is beyond the appropriate scope of review in this docket and to the extent that it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. *See* Tex. R. Civ. P. 192.3(a); 16 Tex. Admin. Code § 22.141(a).

Finally, by objecting or responding in any way to Redbird's requests, Dobbin Plantersville does not waive its right to contend that any future discovery is improper or objectionable, or that any information provided in response to a discovery request constitutes admissible evidence in any other context.

### **IV. SPECIFIC OBJECTIONS**

**RFI 1.** Please provide the WSC's current budget for Fiscal Year 2021 and the budget applicable for Fiscal Year 2020.

**NO OBJECTION**

**RFI 2.** Please provide the WSC's Audited Financial Report for Fiscal Year Ended 2020, 2019, and 2018. If audited financials are unavailable, please provide Fiscal Year ended Balance Sheets, Income Statements, and Statements of Cash flow for the indicated period.

**NO OBJECTION**

**RFI 3.** Please provide Dobbin Plantersville’s currently applicable capital improvement plan and most recently completed Master Plan.

**NO OBJECTION**

**RFI 4 (as amended July 29).** Please list the groundwater conservation districts within which the WSC’s CCN is located and provide the annual payments made to the groundwater district(s), and the associated groundwater volumes produced for Fiscal Years Ending in 2020, 2019, and 2018 and to-date Fiscal Year 2021.

**OBJECTION**

Dobbin Plantersville objects to RFI 4 because it is irrelevant to the extent that it requests information regarding the water supply system operations in Grimes County. Dobbin Plantersville water system operates as two separate systems, one in Grimes County and one in Montgomery County, each providing only backup in the event of emergency. The Redbird property covered in its petition (“SER Property”) is located solely in Montgomery County; therefore, questions regarding the Grimes County operations are irrelevant.

**RFI 5.** Please provide the annual gallons of water produced and gallons sold to customers for Fiscal Year Ended 2020, 2019, and 2018, as well as to-date Fiscal Year 2021.

**OBJECTION**

Dobbin Plantersville objects to RFI 5 because it is irrelevant to the extent that it requests information regarding the water supply system operations in Grimes County because Dobbin Plantersville water system operates as two separate systems, one in Grimes County and one in Montgomery County, each providing only backup in the event of emergency. The Redbird SER Property is located solely in Montgomery County; therefore, questions regarding the Grimes County operations are irrelevant.

**RFI 6.** Please provide copies of any contracts related to the purchase or sale of treated or raw water.

**NO OBJECTION**

**RFI 7.** Please provide debt service schedules, by issuance, detailing annual payments of principal and interest remaining on each outstanding debt issue. Please indicate the projects/capital improvements funded by each outstanding bond issuance.

**OBJECTION**

Dobbin Plantersville objects to RFI 7 because it is overbroad by calling for the production of information from 2005 until the present that is neither relevant to the issues presented in this matter nor likely to lead to the discovery of admissible evidence.

**RFI 8.** Please provide a map of the area proposed for decertification in relation to the remaining portions of the WSC System (System). On said map, please indicate all assets owned by the WSC currently used and useful in providing service to customers.

**OBJECTION**

Dobbin Plantersville objects to RFI 8 because it is irrelevant to the extent that it requests information regarding the water supply system operations in Grimes County because Dobbin Plantersville water system operates as two separate systems, one in Grimes County and one in Montgomery County, each providing only backup in the event of emergency. The Redbird SER Property is located solely in Montgomery County; therefore, questions regarding the Grimes County operations are irrelevant.

**RFI 9.** Please list all active connections within the area proposed for decertification by meter size.

**NO OBJECTION**

**RFI 10.** Please list all active connections on the WSC's system by meter size.

**OBJECTION**

Dobbin Plantersville objects to RFI 10 because it is irrelevant to the extent that it requests information regarding the water supply system operations in Grimes County because Dobbin Plantersville water system operates as two separate systems, one in Grimes County and one in Montgomery County, each providing only backup in the event of emergency. The Redbird SER Property is located solely in Montgomery County; therefore, questions regarding the Grimes County operations are irrelevant.

**RFI 11.** Please provide a list of any fixed assets within the area proposed for decertification.

Please indicate the size of any applicable water lines and the capacity of any pumps, storage tanks, or water production equipment.

**NO OBJECTION**

**RFI 12 (as amended July 29).** Please list any fixed assets associated with the area proposed for decertification that would be rendered useless, or would be underutilized, as a result of the decertification.

**NO OBJECTION**

**RFI 13.** Please identify any assets in response to requests 10 or 11 that were grant funded or contributed by developers or customers.

**NO OBJECTION**

**RFI 14.** Please identify any portions of the assets in response to items 10 or 11 that were funded by debt that is still outstanding.

**NO OBJECTION**

**RFI 15.** Please provide the estimated cost of making adjustments to the WSC's system to facilitate the proposed decertification (e.g., improvements necessary to continue serving existing customers), if any.

**NO OBJECTION**

**RFI 16.** Please provide invoices outlining the professional and legal fees incurred by the WSC associated with the decertification. Please continue to update request No. 15 during the pendency of the proceeding.

**NO OBJECTIONS (subject to the July 29 letter)**

**RFI 17.** Please provide the cost of new infrastructure or improvements necessary to serve the area proposed for decertification and the anticipated timing required for installing said infrastructure.

**NO OBJECTION**

Respectfully submitted,

**MARY K. SAHS, P.C.**

*Mary K. Sahs*

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**ATTORNEY FOR DOBBIN  
PLANTERSVILLE WATER SUPPLY  
CORPORATION**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of Objections of Dobbin Plantersville WSC to Redbird's Requests For Information was served on all parties of record in this proceeding on August 2, 2021, by filing on the Commission's Interchange Filing System and via email.

*Mary K. Saks*

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