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PUC DOCKET NO. 52310

PETITION OF ROSE HILL	§	
SPECIAL UTILITY DISTRICT	§	PUBLIC UTILITY COMMISSION
FOR A CEASE AND DESIST	§	
ORDER AGAINST THE CITY OF	§	OF TEXAS
TERRELL, TEXAS FOR	§	
UNAUTHORIZED WATER	§	
SERVICE	§	

**CITY OF TERRELL’S RESPONSE TO ROSE HILL SPECIAL UTILITY DISTRICT’S
FIRST REQUESTS FOR INFORMATION**

To: Rose Hill Special Utility District, by and through its attorney of record, Andrew S. “Drew” Miller, Kemp Smith LLP, 2905 San Gabriel St., Suite 205, Austin, Texas 78705.

COMES NOW, City of Terrell (City), by and through its undersigned attorneys of record, files its Response to Rose Hill Special Utility District’s (District) First Requests for Information (RFI) to City of Terrell. Pursuant to the procedural schedule established in Order No. 10, this response is timely filed. Pursuant to 16 Tex. Admin. Code (TAC) § 22.144(c)(2)(F), City of Terrell agrees and stipulates that all parties may treat the responses as if the answers were filed under oath.

Respectfully submitted,

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ATTORNEYS FOR THE CITY OF TERRELL

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 April 18, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.



David J. Klein

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**CITY OF TERRELL'S RESPONSE TO ROSE HILL SPECIAL
UTILITY DISTRICT'S FIRST RFI**

DISTRICT 1-1 Please provide the following information for each customer listed on pages 2-4 of Rose Hill's First Amended Petition:

- a. name of business or person receiving water service;
- b. physical address;
- c. mailing address; and
- d. date (or, if not available, approximate date) when the customer began receiving water service from the City in that location.

RESPONSE: The requested information is provided in Exhibit A, filed confidentially with the Commission pursuant to Tex. Util. Code §§ 182.052 and 182.054 as it includes sensitive customer information.

Prepared by: Mike Mikeska, P.E., Assistant City Engineer for the City of Terrell
Sponsored by: Mike Mikeska, P.E., Assistant City Engineer for the City of Terrell

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**CITY OF TERRELL'S RESPONSE TO ROSE HILL SPECIAL
UTILITY DISTRICT'S FIRST RFI**

DISTRICT 1-2 Please provide the following information for each customer not listed on pages 2-4 of Rose Hill's First Amended Petition but which is being provided with water service by the City and is located within the area indicated in blue on the map provided as Exhibit B to Rose Hill's First Amended Petition:

- a. name of business or person receiving water service;
- b. physical address;
- c. mailing address; and
- d. date (or, if not available, approximate date) when the customer began receiving water service from the City in that location.

RESPONSE: The City timely filed its Objections of City of Terrell to Rose Hill Special Utility District's First Requests for Information (Objections to First RFI) on April 14, 2022. The City objected to RFI 1-2 for being irrelevant. An order sustaining or overruling the Objections to First RFI has not yet been issued at the time of filing this Response. The City will supplement its Response to RFI 1-2 if its objection is overruled.

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**CITY OF TERRELL'S RESPONSE TO ROSE HILL SPECIAL
UTILITY DISTRICT'S FIRST RFI**

DISTRICT 1-3 Please provide the following information for each customer that is being provided with water service by the City and is located within any portion of Rose Hill's certificated service area (under Certificate of Convenience and Necessity (CCN) No. 10849), and not referred to or identified in connection with Rose Hill's Request for Information Rose Hill 1-1 and 1-2 above:

- a. name of business or person receiving water service;
- b. physical address;
- c. mailing address; and
- d. date (or, if not available, approximate date) when the customer began receiving water service from the City in that location.

RESPONSE: The City timely filed its Objections to First RFI on April 14, 2022. The City objected to RFI 1-3 for being irrelevant and overly broad. An order sustaining or overruling the Objections to First RFI has not yet been issued at the time of filing this Response. The City will supplement its Response to RFI 1-3 if its objection is overruled.

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**CITY OF TERRELL'S RESPONSE TO ROSE HILL SPECIAL
UTILITY DISTRICT'S FIRST RFI**

DISTRICT 1-4 Please provide the following information for each "affected person" (as defined TEX. WATER CODE § 13.002) with respect to this proceeding and known to the City but not otherwise referred to or identified in connection with Rose Hill's Request for Information Rose Hill 1-1 through 1-3 above:

- a. name of business or person receiving water service;
- b. physical address;
- c. mailing address; and
- d. date (or, if not available, approximate date) when the person began receiving water service from the City in that location.

RESPONSE: The City discussed its objection to RFI 1-4 with the District on April 12, 2022. On April 13, 2022, counsel for the District notified the City that it will withdraw its RFI 1-4. Therefore, no response is required for RFI 1-4.

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**CITY OF TERRELL'S RESPONSE TO ROSE HILL SPECIAL
UTILITY DISTRICT'S FIRST RFI**

DISTRICT 1-5 For each of the physical addresses/locations identified in response to Requests for Information Rose Hill 1-1 through 1-4, if the City previously served another person or business at that physical address/location, for each such physical address/location please provide: (a) the name that any such business or person that received service at that location; and (b) the date (or, if not available, approximate date) when the persons or business began and ceased receiving water service at that location.

RESPONSE: The City discussed its objection to RFI 1-5 with the District on April 12, 2022. On April 13, 2022, counsel for the District notified the City that it will withdraw its RFI 1-5. Therefore, no response is required for RFI 1-5.

EXHIBIT A

Response to DISTRICT 1-1