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CRYSTAL BLUFF GOAT RANCHES	§	BEFORE THE PUBLIC UTILITY
LLC'S APPEAL OF THE COST OF	§	
OBTAINING SERVICE FROM	§	COMMISSION OF TEXAS
POSSUM KINGDOM WATER SUPPLY	§	
CORPORATION	§	

**POSSUM KINGDOM WSC'S FIRST REQUEST FOR INFORMATION
TO CRYSTAL BLUFF GOAT RANCHES, LLC**

To: Crystal Bluff Goat Ranches, LLC, by and through its attorneys of record, C. Justin Broome, Dorsett, Johnson & Swift, LLP, 407 Throckmorton Street, Suite 500, Fort Worth, Texas 76102, and Arturo D. Rodriguez, Messer Fort McDonald, The Municipal Law Firm, 4201 Parmer Lane, Suite C-150, Austin, Texas 78727.

Possum Kingdom Water Supply Corporation ("Possum Kingdom WSC") serves the following First Request for Information to Crystal Bluff Goat Ranches, LLC pursuant to 16 Texas Administrative Code ("TAC") §22.141, §22.144.

Respectfully submitted,

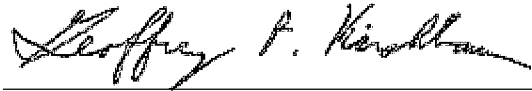
By: 

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**ATTORNEYS FOR POSSUM KINGDOM
WATER SUPPLY CORPORATION**

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 January 3, 2023, in accordance with the Orders Suspending Rules filed in Project No. 50664.

A handwritten signature in black ink, reading "Geoffrey P. Kirshbaum". The signature is written in a cursive style with a horizontal line underneath it.

Geoffrey P. Kirshbaum

INSTRUCTIONS

1. 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.
2. You are directed to 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. In those instances when you choose to answer an RFI propounded herein by referring to a specific document or record, you are instructed to specify the same in sufficient detail to permit Possum Kingdom Water Supply Corporation to locate and identify the records or documents from which the answer is to be ascertained as readily as could you.
3. 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.
4. Identify all persons who provided information for the answer to each request for information at the conclusion of each response. Also identify which witness will sponsor the answer at trial.
5. Singular forms of words shall be taken as including the plural, and plural forms shall be taken as including the singular.

DEFINITIONS

For purposes of responding to these Requests, the following definitions apply:

- (a) “Possum Kingdom WSC” means Possum Kingdom Water Supply Corporation, 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 Possum Kingdom.
- (b) “Crystal Bluff,” “CBGR,” “you,” “your,” or “yourself,” means Crystal Bluff Goat Ranches, LLC, the party to whom these requests are addressed, as well as to each of its members, employees, parents, predecessors, subsidiaries and affiliates, each of its present and former officers, employees, agents, representatives and attorneys, and each person acting or purporting to act on its behalf.
- (c) The “Commission” means the Public Utility Commission of Texas.
- (d) “Communication” means any oral or written utterance, notation or statement of any nature whatsoever, by and to whomsoever made, including, but not limited to, correspondence, conversations, dialogues, discussions, interviews, consultations, agreements and other understandings between or among two or more persons.

(e) “Describe” and “identify,” when referring to a person are defined to require that you state the following:

1. The full name.
2. The present or last known residential address.
3. The present or last known residential and office telephone numbers.
4. The present occupation, job title, employer, and employer’s address at the time of the event or period referred to in each particular request.
5. 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 and identify the officer who is responsible for supervising that officer or employee.

(f) “Describe” and “identify,” when referring to a document, are defined to require that you state the following:

1. The nature (*e.g.*, letter, handwritten note) of the document.
2. The title or heading that appears on the document.
3. The date of the document and the date of each addendum, supplement, or other addition or change.
4. The identity of the author and of the signer of the document, and of the person on whose behalf or at whose request or direction the document was prepared or delivered.
5. The present location of the document, and the name, address, position, or title, and telephone number of the person or persons having custody of the document.
6. The number of pages or other description of the size of the document.

(g) “Describe” and “identify,” when referring to a communication, are defined to require that you state the following:

1. If any part of the communication was written, to identify the document or documents which refer to or evidence the communication.
2. If the communication was non-written, to identify the persons participating in the communication and to state the date, manner, place and substance of the communication.

(h) “Document” or “documents” shall mean every original (or copies if you do not have the originals) and each non-identical copy, whether different from the original because of marginal notes or other material inserted therein or attached thereto, or otherwise, and all drafts and notes (whether typed or handwritten or otherwise) made or prepared in connection with such document,

whether used or not and both sides thereof, of any written, recorded or graphic matter, however produced or reproduced, of any kind of description, whether sent or received or neither, including, but not limited to: papers, books, letters, correspondence, telegrams, cables, telex messages, memoranda, notes, invoices (including all bills and statements of account), credit memos, debit memos, notations, work papers, transcripts, minutes, and minutes books, corporate resolutions, reports, notes and recordings of telephone or other conversations or of interviews or of conferences or other meetings, telephone call slips or messages, bank statements, deposit slips, bank checks or drafts, confirmations or other evidence of bank wire transfers of funds, purchase, repurchase and sale confirmations, affidavits, statements, summaries, opinions, reports, studies, analysis, evaluations, contracts, agreements, books of account, ledgers, journals, statistical records, calendars, desk calendars, appointment books, diaries, lists, tabulations, sound recordings, computer printouts, data processing input and output, information contained in computer hard disks or other computer hardware or on floppy disks, films, microfilms, photographs, maps, charts, accounts, handwritten notes or memoranda, intraoffice or interoffice memoranda, financial statements and reports thereto, mailgrams, video recordings, travel vouchers, credit card receipts, and all other records kept by electronic, photographic, or mechanical means, and things similar to any of the foregoing, however denominated.

(i) “Person” means any natural person, corporation, firm, association, partnership, joint venture, proprietorship, governmental body, or any other organization, business, or legal entity, and all predecessors or successors in interest.

(j) “Possession, custody or control” of an item means that the person either has physical possession of the item or has a right to possession that is equal or superior to the person who has physical possession of the item.

(k) “Relating to,” “regarding,” “referring to,” “concerning,” or “pertaining to” shall mean directly or indirectly mentioning or describing, pertaining to, being connected with, or reflecting upon a stated subject matter, document, event or person.

(l) “Representative” means any and all agents, employees, servants, officers, directors, attorneys, or other persons acting or purporting to act on your behalf.

(m) “And” means and/or. “Or” means and/or.

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PKWSC 1-1 Please provide the legal theories and, in general, the factual bases of your claims (without marshaling all evidence that may be offered at trial).

PKWSC 1-2 Please provide the name, address, and telephone number of persons having knowledge of relevant facts and a brief statement of each identified person's connection with the case.

PKWSC 1-3 Please provide a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that you have in your possession, custody, or control, and that may be used to support your claims, unless the use would be solely for impeachment.

PKWSC 1-4 Please provide the name, and if, not previously provided, the address, and telephone number of each witness you may present at trial other than solely for impeachment—separately identifying those you expect to present and those you may call if the need arises.

PKWSC 1-5 Please provide an identification of each document or other exhibits you may present at trial other than solely for impeachment, including summaries of other evidence—separately identifying those items you expect to offer and those you may offer if the need arises.

PKWSC 1-6 For any testifying expert, please provide the following:

- a. The expert's name, address, and telephone number.
- b. The subject matter on which the expert will testify.
- c. The general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to your control, documents reflecting such information.
- d. If the expert is retained by, employed by, or otherwise subject to your control:
 - i. All documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony;
 - ii. The expert's current resume and bibliography;
 - iii. The expert's qualifications, including a list of all publications authored in the previous 10 years;
 - iv. Except when the expert is your attorney and is testifying to attorney fees, a list of all other cases in which, during the previous four years, the expert testified as an expert at trial or by deposition; and

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- v. A statement of the compensation to be paid for the expert's study and testimony in the case.

PKWSC 1-7 Please refer to page 1, line 8 of the prefiled direct testimony of Gary Ray filed by CBGR. Are Crystal Bluff Goat Ranches, LLC and Crystal Goats Ranches, LLC the same entity or different entities? If different, please explain the relationship between the two entities, if any.

PKWSC 1-8 Please refer to Exhibit CB-3 included with the pre-filed direct testimony of Gary Ray. Who is Gary Ray and what is his relationship to the appellant, CBGR, if any?

PKWSC 1-9 Please refer to Exhibit CB-3 included with the pre-filed direct testimony of Gary Ray. Who is Chris Beeson and what is his relationship to the appellant, CBGR, if any?

PKWSC 1-10 Please refer to Exhibit CB-3 included with the pre-filed direct testimony of Gary Ray. Was this a request for service from Possum Kingdom WSC for Lot 7 or more lots than just Lot 7 within the property depicted in Exhibit CB-2 included with the pre-filed direct testimony of Gary Ray?

PKWSC 1-11 Please refer to Exhibit CB-3 included with the pre-filed direct testimony of Gary Ray. When do you contend you first contacted Possum Kingdom WSC about service to more than one lot within the property depicted in Exhibit CB-2 included with the pre-filed direct testimony of Gary Ray? If this communication was in writing, please identify and provide the document or documents you contend comprise that communication.

PKWSC 1-12 Admit or Deny. The real property for which you requested retail water utility service from Possum Kingdom WSC and received a cost estimate that is the subject of this cost to obtain service appeal is comprised of 12 lots subdivided out of a tract of land comprised in total of 18.070 acres, as reflected in Exhibits CB-1 and CB-2 included with the pre-filed direct testimony of Gary Ray? If you cannot admit or deny, please explain in detail why you cannot admit or deny.

PKWSC 1-13 If your response to PKWSC 1-12 is "Deny," please explain the basis for your denial and provide any documents you contend support that denial.

PKWSC 1-14 Admit or Deny. When CBGR submitted the application for service included with the pre-filed direct testimony of Gary Ray as Exhibit CB-3, CBGR, its agents, or its

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representatives, including Gary Ray, knew or should have known that a request for service from Possum Kingdom WSC for more than a single lot constituted a non-standard service request under applicable Possum Kingdom WSC tariff provisions. If you cannot admit or deny, please explain in detail why you cannot admit or deny.

PKWSC 1-15 If your response to PKWSC 1-14 is “Deny,” please explain the basis for your denial and provide any documents you contend support that denial.

PKWSC 1-16 Please refer to page 2, lines 4-7 and line 9-12, and Exhibits CB-1 and CB-2 of the prefiled direct testimony of Gary Ray filed by CBGR. Given that CBGR sought service from Possum Kingdom WSC for a single tract of land subdivided into twelve (12) platted lots it intended to sell to others, please state whether you contend CBGR should not be considered a “developer” as that term is defined in Possum Kingdom WSC’s tariff. Please state the basis for your contention and provide any documents you contend support that contention.

PKWSC 1-17 Please refer to page 2, lines 4-7 and line 9-12, and Exhibits CB-1 and CB-2 of the prefiled direct testimony of Gary Ray filed by CBGR. Given that CBGR sought service from Possum Kingdom WSC for a single tract of land subdivided into twelve (12) platted lots it intended to sell to others, please state whether you contend CBGR should not be considered a “developer” as that term is defined in Texas Water Code § 13.2502(e)(1). Please state the basis for your contention and provide any documents you contend support that contention.

PKWSC 1-18 Please refer to page 2, lines 4-7 and line 9-12, and Exhibits CB-1, CB-2, and CB-7 of the prefiled direct testimony of Gary Ray filed by CBGR. Given that CBGR sought service from Possum Kingdom WSC for a single tract of land subdivided into twelve (12) platted lots it intended to sell to others, please state whether you contend that service would not require a “Non-Standard Service Contract” under the Tariff of Possum Kingdom WSC, Section F, “Developer, Subdivision, and Non-Standard Service Requirements” (included in Exhibit CB-7). Please state the basis for your contention and provide any documents you contend support that contention.

PKWSC 1-19 Did CBGR ever revise its real property plat from the plat included with the prefiled direct testimony of Gary Ray as Exhibit CB-2? If so, please provide all documents that show those plat revisions.

PKWSC 1-20 Was any government entity required to approve CBGR’s plats, and did they? If so, please provide any documents that show those plat approvals.

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PKWSC 1-21 Please provide the “boiler plate of the contract” referenced in Exhibit CB-5 included with the pre-filed direct testimony of Gary Ray and any other attachments to the e-mail included in Exhibit CB-5.

PKWSC 1-22 Please identify the cost estimate or cost to obtain service decision you are appealing in this proceeding.

PKWSC 1-23 Did CBGR ever sign a standard service contract or agreement with PKWSC agreeing to a price per connection for service to any or all of the 12 lots reflected in Exhibit CB-2 included with the pre-filed direct testimony of Gary Ray? If so, please provide all such documents.

PKWSC 1-24 Did CBGR ever sign a non-standard service contract or agreement with PKWSC agreeing to a price per connection for service to any or all of the 12 lots reflected in Exhibit CB-2 included with the pre-filed direct testimony of Gary Ray? If so, please provide all such documents.

PKWSC 1-25 Please refer to page 4, lines 1-4 of the pre-filed direct testimony of Gary Ray and Exhibit CB-8 included with that testimony. Please state whether you contend that the described \$10,400,145.00 figure estimated for the Possum Kingdom WSC cost of additional capacity was an unreasonable amount, explain the basis for that contention, if any, and provide any documents that you allege support that contention, if any.

PKWSC 1-26 Please refer to page 4, lines 1-4 of the pre-filed direct testimony of Gary Ray and Exhibit CB-8 included with that testimony. Do you contend that (a) existing Possum Kingdom WSC members or (b) developers of new subdivisions should bear the costs for additional water treatment capacity needed to serve new subdivision connections? Please explain the basis for your contention and provide any documents that you allege support that contention.

PKWSC 1-27 Please refer to page 4, lines 7-9 of the pre-filed direct testimony of Gary Ray. Please explain the basis for your contention that a \$13,385.00 CIAC charge per meter is “staggering” and provide any documents that you allege support your contention.

PKWSC 1-28 Please refer to page 4, lines 9-11 of the pre-filed direct testimony of Gary Ray. Please explain the basis for your contention that the CIAC charge of \$2,300.00 to \$2,800.00 per connection was “previously established” and provide any documents that you allege support your contention.

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PKWSC 1-29 Please refer to page 4, lines 9-11 of the pre-filed direct testimony of Gary Ray. Please explain the basis for your contention that the requested CIAC charge of \$13,385.00 per connection was “a shocking reversal of PKWSC’s previous position that CBGR did not require non-standard service” and provide any documents that you allege support your contention.

PKWSC 1-30 Please refer to page 4, lines 9-11 of the pre-filed direct testimony of Gary Ray. Please state whether you contend Possum Kingdom WSC should have offered CBGR a CIAC charge of \$2,300.00 to \$2,800.00 per connection indefinitely without a non-standard service contract in place? If not, for how long? Please explain the basis for your contention and provide any documents that you allege support your contention.

PKWSC 1-31 Please refer to page 4, lines 9-11 of the pre-filed direct testimony of Gary Ray. Please state whether you contend \$2,300.00 to \$2,800.00 per connection is a reasonable Possum Kingdom WSC CIAC charge today? Please explain the basis for your contention and provide any documents that you allege support your contention.

PKWSC 1-32 Please refer to page 4, line 21 of the pre-filed direct testimony of Gary Ray. Please describe in detail what you contend were “attempts to negotiate” with Possum Kingdom WSC and provide any documents you allege support your contention.

PKWSC 1-33 Please refer to page 6, lines 15-16 of the pre-filed direct testimony of Gary Ray. If you contend Possum Kingdom WSC should grant CBGR a waiver of CIAC for any or all of the 12 subdivision lots reflected in Exhibit CB-2 not previously granted, please explain the basis for your contention and provide any documents you allege support your contention.

PKWSC 1-34 Admit or deny. Discussions between CBGR and Possum Kingdom WSC regarding non-standard service for the subdivision reflected in Exhibit CB-2 date back to 2017. If you cannot admit or deny, please explain in detail why you cannot admit or deny.

PKWSC 1-35 If your response to PKWSC 1-34 is “Deny,” please explain the basis for your denial and provide any documents you contend support that denial.

PKWSC 1-36 Please refer to page 7, lines 6-7 of the pre-filed direct testimony of Gary Ray. Please provide any documents that you allege support your contention that there was a Possum Kingdom WSC “determination that non-standard service was unnecessary” for any or all of the 12 subdivision lots reflected in Exhibit CB-2.