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DOCKET NO. 53933

MCILRATH PROPERTIES LLC'S	§	PUBLIC UTILITY COMMISSION
APPEAL OF THE COST OF OBTAINING	§	
SERVICE FROM MILLER GROVE	§	OF TEXAS
WATER SUPPLY CORPORATION	§	

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO
MILLER GROVE WATER SUPPLY CORPORATION
QUESTION NOS. STAFF 1-1 THROUGH 1-19**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144 of the Commission's Procedural Rules, the Staff of the Public Utility Commission of Texas (Staff) requests that Miller Grove Water Supply Corporation by and through its representative of record, provide the following information and answer the following questions under oath. The questions 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 questions 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 Second Order Suspending Rules in Project No. 50664.

Dated: August 26, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

Sneha Patel
Managing Attorney

/s/ Forrest Smith
Forrest Smith
State Bar No. 24093643
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7388
(512) 936-7268 (facsimile)
Forrest.Smith@puc.texas.gov

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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 August 26, 2022 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith

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DEFINITIONS

- 1) "Miller Grove WSC" or "you" refers to that Miller Grove Water Supply Corporation and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond your control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist, and these documents will be provided.

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QUESTION NOS. STAFF 1-1 THROUGH 1-19**

INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. 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.
- 3) These questions 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.
- 4) 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.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) 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: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

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QUESTION NOS. STAFF 1-1 THROUGH 1-19**

- Staff 1-1** Please specify and provide a detailed description as to whether any future customers of Miller Grove Water Supply Corporation (Miller Grove) will benefit from the proposed 4-inch water line that will provide McIlrath Properties LLC ("McIlrath") with water service.
- Staff 1-2** Does Miller Grove intend to reimburse McIlrath with funding for the future customer's share of the cost for the proposed 4-inch water line?
- Staff 1-3** Please provide all correspondence between Miller Grove and McIlrath including records of phone calls, text messages, e-mails, and any other forms of communication between the parties.
- Staff 1-4** Please provide all engineering studies conducted by DBI Engineers corroborating Miller Grove's assertion that it currently does not possess adequate water capacity and that it is currently not capable of providing water service to future customers of McIlrath in the proposed development.
- Staff 1-5** Please provide a copy of the construction approval letter from TCEQ for the proposed 4-inch water line that Miller Grove will provide to McIlrath pertaining to future water service.
- Staff 1-6** Please provide a copy of Miller Grove's most recent distribution system map that includes the specific water line size and the existing connections for each water line currently providing service to customers.
- Staff 1-7** Please provide all engineering studies prepared in the last ten years recommending that the water lines in Miller Grove's service area near the McIlrath development be replaced or upgraded. Please include the name of the engineering firm that prepared the study.
- Staff 1-8** Please provide a list of all of Miller Grove's employees and indicate whether each employee is currently receiving a salary or is paid an hourly wage.
- Staff 1-9** Please identify the employees of Miller Grove's employees that would be responsible for installing the 4-inch water line that would provide water service to the development proposed by McIlrath.
- Staff 1-10** Please specifically identify and provide specific details as to any water lines that are currently not in compliance with TCEQ rules in Miller Grove's water distribution system.
- Staff 1-11** Please provide a list and description of all water lines that are currently at full capacity in Miller Grove WSC's distribution system.
- Staff 1-12** Please provide a current copy of Miller Grove's bylaws and tariffs, including the standard tap fee that is required for new customers to obtain water service.

- Staff 1-13** Please provide a detailed description of the estimated bill by breaking down the alleged costs of materials and labor that support Miller Grove WSC's proposed tap fee that it charges new customers.
- Staff 1-14** Reference Staff RFI 1-13, please provide any invoices, receipts, and work orders that support these labor costs that support the tap fee charged to customers.
- Staff 1-15** Please state if tap installations will be done by Miller Grove's internal employees or by a contractor.
- Staff 1-16** Please provide a detailed list of what fees for water service, if any, that McIlrath has already paid Miller Grove as of August 4, 2022.
- Staff 1-17** Please provide a detailed description of any future capital improvement plans that Miller Grove WSC has planned or applied for in that past five years that include an extension of the proposed 4-inch water line and any of its current water lines that are at or near full capacity.
- Staff 1-18** Please provide a detailed explanation as to any funding that Miller Grove has applied for or secured funding for in its future capital improvement plan(s) in the past five years.
- Staff 1-19** Please admit or deny whether Miller Grove has submitted a completed USDA application for the funding of an upgrade to its public water system?
- i. If admit, please explain in detail the status and timeline of the application.
 - ii. If admit, please provide a copy that the application or any other correspondence between Miller Grove and USDA related to such funding.