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DOCKET NO. 54488

**APPLICATION OF FOREST GLEN §
UTILITY COMPANY TO AMEND ITS §
SEWER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
MEDINA COUNTY §**

PUBLIC UTILITY COMMISSION

OF TEXAS

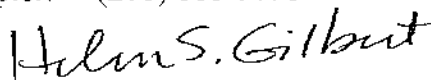
**FOREST GLEN UTILITY COMPANY'S RESPONSE TO COMMISSION STAFF'S
FIRST REQUEST FOR INFORMATION**

TO THE PUBLIC UTILITY COMMISSION STAFF, by and through their attorney of record Cheri Hasz, Legal Division, Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326.

COMES NOW, Forest Glen Utility Company ("Forest Glen" or "FGU") and submits this Response to the Public Utility Commission Staffs ("Commission Staff") First Request for Information ("RFI") pursuant to Tex. R. Civ. P. 190 through 198 and 16 Tex. Admin. Code §22.144 ("TAC"). Pursuant to 16 TAC § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

Randall B. Wilburn
State Bar No. 24033342
Helen S. Gilbert
State Bar No. 00786263
BARTON BENSON JONES PLLC
7000 N. MoPac Expwy, Suite 200
Austin, Texas 78731
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By: 

Helen S. Gilbert

**ATTORNEYS FOR FOREST
GLEN UTILITY COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 11th of December 2023.



Helen S. Gilbert

**RESPONSE TO COMMISSION STAFF'S FIRST REQUEST FOR
INFORMATION TO FOREST GLEN UTILITY COMPANY
QUESTION NO. STAFF 1-1**

STAFF 1-1 A firm capital commitment (such as executed developer agreements, line of credit, equity agreements, sufficient cash reserves per audited financial statements, or loan documents) affirming access to funds to pay for the required collection lines and connections required to provide sewer service to each of the requested areas pursuant to 16 TAC § 24.11(e)(5)(B).

RESPONSE: See Attachment 1-1 and confidential filing per 16 TAC § 22.17(d).

Prepared by: Michael Gregory, Helen Gilbert

Sponsored: TBD

**RESPONSE TO COMMISSION STAFF'S FIRST REQUEST FOR
INFORMATION TO FOREST GLEN UTILITY COMPANY
QUESTION NO. STAFF 1-2**

STAFF 1-2 A firm capital commitment (such as executed developer agreements, line of credit, equity agreements, sufficient cash reserves per audited financial statements) affirming access to funds to pay for the required capital improvements provided in item 6 pdf pages 12 thru 17 pursuant to 16 TAC § 24.11(e)(5)(B).

RESPONSE: See Attachment 1-1 and confidential filing per 16 TAC § 22.17(d).

Prepared by: Michael Gregory, Helen Gilbert

Sponsored: TBD

**DOCKET NO. 54488
RESPONSE TO STAFF RFI 1-1**

STATE OF CALIFORNIA

§

§

COUNTY OF SANTA CLARA

§

AFFIDAVIT OF DAVID B. HEALEY

Before me, the undersigned notary, on this day personally appeared David B. Healey, a person whose identity is known to me. After I administered an oath to David B. Healey, upon his oath, he said:

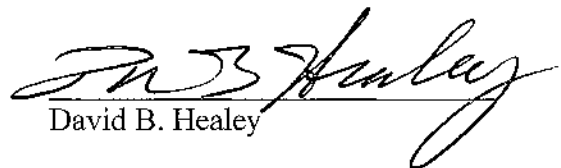
"My name is David B. Healey. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

I, David B. Healey, being duly sworn, file this affidavit as the Vice-President, Chief Financial Officer, and Treasurer of California Water Service Group ("Group"), which is the owner of TWSC, Inc. ("Texas Water") that in turn owns 84.9% of BVRT Utility Holding Co., LLC ("BVRT"). Pursuant to 16 TAC § 24.3(3), Group is the owner of Texas Water, and majority owner of BVRT, and Forest Glen Utility Company Inc. ("FGU"). I attest that in such capacity, I am qualified and authorized to file and verify such affidavit, am personally familiar with Group's financial commitment in support of BVRT and FGU.

Group, through its subsidiaries, owns and operates regulated water and wastewater utilities in California, Washington, Hawaii, New Mexico and Texas, and has been in business of owning utilities for 96 years. As part of ownership of its utilities, Group invests approximately \$300 million in utility infrastructure each year and is committed to providing the necessary financing needed to support each of its utilities, including financing necessary for the construction of FGU's infrastructure as customer demand requires.

Group is capable, available, and willing to cover temporary cash shortages as needed, as well as provide funding to install FGU's required capital improvements, as customer demand requires, for docket 54488 in the amount as shown in the Preliminary Engineering Report submitted in that docket.

Further affiant sayeth not.


David B. Healey

Given under my hand and seal of office on November ____, 2023.

Please see attached

Notary Public, State of California

DOCKET NO. 54488
RESPONSE TO STAFF RFI 1-1

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

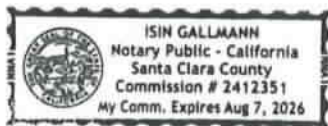
State of California

County of Santa Clara

On November 27, 2023 before me, Isin Gallmann, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared David Healey
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Isin Gallmann

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

May 4, 2021



California Water Service Group Creates Texas Water Service Subsidiary; Seeks to Capitalize on Growth Opportunities in Texas

Texas Water Service Enters into Strategic Partnership with BVRT Utility Holding Company

SAN JOSE, Calif., May 04, 2021 (GLOBE NEWSWIRE) -- California Water Service Group announced today that its new Texas-based subsidiary, TWSC, Inc. (Texas Water Service) now owns the majority of BVRT Utility Holding Company (BVRT), a Texas-based utility development company owning and operating four wastewater utilities serving growing communities outside of Austin and San Antonio. Austin and San Antonio are among the five fastest growing cities in the United States, and communities surrounding them are also experiencing high growth.

"We are pleased to be moving into a fifth state, the great state of Texas, into a dynamic area with considerable opportunities for growth," said California Water Service Group President and Chief Executive Officer, Martin A. Kropelnicki.

Texas Water Service initially invested funds to enable BVRT to continue to build wastewater infrastructure. Today it converted its investment to equity, with the intention of continuing to invest in BVRT's existing infrastructure and new developments, and has the right to eventually acquire all of BVRT's growing portfolio of wastewater systems.

BVRT's four wastewater utilities currently serve or are under contract to serve over 2,500 connections, with a potential total build-out of more than 61,000 connections. Texas Water Service, through its partnership with BVRT, is actively and aggressively pursuing additional opportunities to build and enhance wastewater infrastructure.

"BVRT is an excellent partner with key strategic relationships in this growing part of Texas. Texas Water Service looks forward to working with them to provide more and more people with the reliable wastewater service that is vital to every community's success," Kropelnicki said.

About California Water Service Group

California Water Service Group is the parent company of regulated utilities California Water Service, Hawaii Water Service, New Mexico Water Service, and Washington Water Service, and now Texas Water Service, a utility holding company. Together, these companies provide regulated and non-regulated water and wastewater service to more than 2 million people in California, Hawaii, New Mexico, Texas, and Washington. California Water Service Group's common stock trades on the New York Stock Exchange under the symbol "CWT."

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RESPONSE TO STAFF RFI 1-1

Additional information is available online at www.calwatergroup.com.

This news release contains forward-looking statements within the meaning established by the Private Securities Litigation Reform Act of 1995 ("Act"). The forward-looking statements are intended to qualify under provisions of the federal securities laws for "safe harbor" treatment established by the Act. Forward-looking statements are based on currently available information, expectations, estimates, assumptions and projections, and management's judgment about the Company, the water utility industry and general economic conditions. Such words as would, expects, intends, plans, believes, estimates, assumes, anticipates, projects, predicts, forecasts or variations of such words or similar expressions are intended to identify forward-looking statements. The forward-looking statements are not guarantees of future performance. They are subject to uncertainty and changes in circumstances. Actual results may vary materially from what is contained in a forward-looking statement. Factors that may cause a result different than expected or anticipated include, but are not limited to: ability to complete the acquisition and ability to operate the wastewater systems in an accretive manner; natural disasters, public health crises, pandemics, epidemics or outbreaks of a contagious disease, such as the recent outbreak of coronavirus (or COVID-19), governmental and regulatory commissions' decisions, including decisions on proper disposition of property; consequences of eminent domain actions relating to our water systems; changes in regulatory commissions' policies and procedures; the timeliness of regulatory commissions' actions concerning rate relief and other actions; changes in water quality standards; changes in environmental compliance and water quality requirements; electric power interruptions; housing and customer growth trends; the impact of opposition to rate increases; our ability to recover costs; availability of water supplies; issues with the implementation, maintenance or security of our information technology systems; civil disturbances or terrorist threats or acts; the adequacy of our efforts to mitigate physical and cyber security risks and threats; the ability of our enterprise risk management processes to identify or address risks adequately; labor relations matters as we negotiate with unions; changes in customer water use patterns and the effects of conservation; the impact of weather, climate, natural disasters, and diseases on water quality, water availability, water sales and operating results, and the adequacy of our emergency preparedness; and, other risks and unforeseen events. When considering forward-looking statements, you should keep in mind the cautionary statements included in this paragraph, as well as the annual 10-K, Quarterly 10-Q, and other reports filed from time-to-time with the Securities and Exchange Commission (SEC). The Company assumes no obligation to provide public updates of forward-looking statements.