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**SOAH DOCKET NO. 473-23-18885.WS
PUC DOCKET NO. 54565**

APPLICATION OF CSWR-TEXAS	§	
UTILITY OPERATING COMPANY,	§	BEFORE THE STATE OFFICE
LLC FOR AUTHORITY TO	§	OF
CHANGE RATES	§	ADMINISTRATIVE HEARINGS

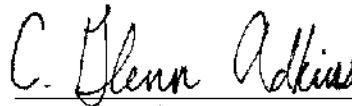
CSWR-TEXAS UTILITY OPERATING COMPANY, LLC'S
FIRST REQUEST FOR INFORMATION AND FIRST REQUEST FOR PRODUCTION
TO THE OFFICE OF PUBLIC UTILITY COUNSEL

TO: The Office of Public Utility Counsel, by and through its attorneys of record, Renee L. Wiserman, Sharbel Sfeir, and Chris Ekoh, 1701 N. Congress Avenue, Austin, Texas 78711.

Pursuant to 16 Texas Administrative Code ("TAC") § 22.144 and SOAH Order No. 3, CSWR-Texas Utility Operating Company, LLC ("CSWR-Texas" or the "Company") requests that the Office of Public Utility Counsel ("OPUC") provide, within 20 days, the information requested herein.

Respectfully submitted,

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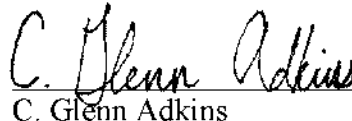
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**ATTORNEY FOR CSWR-TEXAS
UTILITY OPERATING COMPANY, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of August 2023, a true and correct copy of the foregoing document was served on all parties of record via electronic mail in accordance with the Second Order Suspending Rules filed in Project No. 50664.


C. Glenn Adkins

I. DEFINITION OF TERMS

As used herein, the following terms will have the following meanings:

1. **“Communication”** shall include all meetings, telephone calls, conversations, discussions, letters, memoranda, notes, and other forms of communication.
2. **“CSWR-Texas”** or **“Company”** means CSWR-Texas Utility Operating Company, LLC.
3. **“Document(s)”** shall mean documents within the possession, custody or control of the City, and includes, but is not limited to, all writings of every kind, source, and authorship, both originals and all non-identical copies thereof, in your possession, custody, or control, or known by you to exist, irrespective of whether the writing is one intended for, or transmitted internally by you or intended for, or transmitted to, any other person or entity, including without limitation any government agency, department, administrative, or private entity or person. The term shall include handwritten, typewritten, printed, photocopied, photographic, or recorded matter. It shall include communications in words, symbols, pictures, sound recordings, films, tapes, and information stored in, or accessible through, computer or other information storage or retrieval systems together with the codes and/or programming instructions and other materials necessary to understand and use such systems. The term shall also include electronically transmitted messages (e-mail) of any nature whatsoever. For purposes of illustration and not limitation, the term shall include: affidavits; agendas; agreements; analyses; announcements; bills, statements, and other records of obligations and expenditures; books; briefs; brochures; bulletins; calendars; cancelled checks, vouchers, receipts and other records of payments; charts, drawings; check registers; checkbooks; circulars; collateral files and contents; computer disks, programs or information; contracts; corporate by-laws; corporate charters; correspondence; credit files and contents; deeds of trust; deposit slips; diaries, drafts; files; guaranty

agreements; indentures; instructions; invoices; ledgers, journals, balance sheets, profit and loss statements, and other sources of financial data; legal research; letters; logs, notes, or memoranda of telephonic or face-to-face conversations; manuals; memoranda of all kinds, to and from any person, agency, or entity; minutes; minute books; notes; notices; opinions; orders; ordinances; papers; press releases; printed matter (including published books, articles, speeches, and newspaper clippings); purchase orders; records; records of administrative, technical, and financial actions taken or recommended; reports; resolutions; safety deposit boxes and contents and records of entry; schedules; security agreements; specifications; statement of bank accounts; statements, interviews; stock transfer ledgers; technical and engineering reports, evaluations, advice, recommendations, commentaries, conclusions, studies, test plans, manuals, procedures, data, reports, results, analyses and conclusions; summaries, notes, and other records and recordings of any conferences, meetings, visits, statements, interviews or telephone conversations; telegrams, teletypes, facsimiles and other communications sent or received; transcripts of testimony; UCC instruments; workpapers; drafts or copies of any of the foregoing; and all other writings, the contents of which relate to, discuss, consider, or otherwise refer to the subject matter of the particular request made. Inclusion in a request of specific kinds of documents, when in addition to the term “document,” does not limit the kinds of documents that are to be provided, and reference to this definition should be made to assist complete production.

4. **“Identify” or “Identification”:**

- a. As to a person: When used in reference to a person or individual, the terms “identify” or “identification” mean to state his/her full name, address, and telephone number;

- b. As to an entity: The terms “identify” or “identification” when used in reference to an entity such as a corporation, partnership or association, mean to state the name of the entity, its business address, telephone number, and the name of its chief executive officer and the agent for service of process;
 - c. As to a document: When used in reference to a document, the terms “identify” or “identification” shall include the following:
 - 1. The title, heading or caption of such document;
 - 2. The date appearing on such document; or if no name appears, the approximate date on which the document was prepared;
 - 3. A general description of the document;
 - 4. The name of the person who signed the document or statement;
 - 5. The name of the person or persons who prepared the document;
 - 6. The name of the person or persons to whom the documents was addressed and to whom the document was sent; and
 - 7. The physical location of the document.
- 5. **“Including”** means “including but not limited to” and “including without limitation.”
- 6. **“OPUC,” “You,” and “Your”** shall mean the Office of Public Utility Counsel, and includes any employees, agents, attorneys or consultants working directly or indirectly with OPUC, including, but not limited to, individuals, partnerships, associations, corporations or other legal or business entities.
- 7. **“Relating to” or “relate”** shall mean making or including a statement about, discussing, describing, reflecting, consisting of, constituting, comprising or any way concerning in whole or part, the subject or thing.
- 8. **“Representative”** shall mean with respect to a municipality, an officer, employee or agent of the municipality, or a lawyer, consultant or other advisor of the municipality who is acting on behalf of the municipality.

II. INSTRUCTIONS

1. Each request herein extends to any documents or information in your possession and the possession of any of the attorneys or law firms that purport to represent you in this case.
2. Each and every non-identical copy of a document, whether different from the original because of indications of the recipient(s), handwritten notes, marks, attachments, marginalia, or any other reason, is a separate document that must be produced.
3. If you object to any portion of a request on the ground of privilege, answer the nonprivileged portion of the Request by providing such non-privileged information as is responsive.
4. If you object to any portion of a request on any ground other than privilege, you should still provide documents responsive to the remaining non-objectionable portion.
5. Separately for each request to which you object in whole or in part, describe in detail and itemize each basis of your objection.
6. If the basis of an objection to any request, or any portion thereof, is a statute, contract or other agreement, or any other obstacle to production that you claim is based in the law, please identify the basis of that purported obstacle with specificity.
7. Each request herein shall be construed independently, and no request shall be viewed as limiting the scope of any other request. Please indicate where any portion of your document production in response to a request has been covered in your production in response to another request, and please specify the request numbers at issue.
8. If you claim that any document responsive to any request is lost or destroyed, (a) identify and describe such document, (b) describe how the document was lost or destroyed, and (c) identify when the document was lost or destroyed.
9. If you claim that any documents responsive to any request are already in the possession of Corix, please identify the document with sufficient specificity to allow Corix to locate the document.
10. The requests shall be deemed continuing so as to require additional answers if, after answering such requests, you obtain information upon the basis of which you determine that the answer was incorrect when made, or you become aware that the answer, though correct when made, is no longer true, and the circumstances are such that failure to amend the answer is in substance a knowing concealment.

11. Any document that is withheld from production pursuant to a claim of attorney/client, work product, party communication or investigative privilege shall be identified and shall be segregated and maintained for in camera submission, and a list identifying such withheld documents shall be furnished at the time and place of production. Such list shall state with respect to each document: (a) the privilege under which the document is being withheld; (b) a description of the type of document; (c) a description of the subject matter and purpose of the document; (d) the date the document was prepared; (e) the author and/or signatory of the document; (f) the identity of the persons to whom the document was sent; and (g) the present custodian of the document.
12. As part of the response to each request for information, please state, at the bottom of the answer, the name and job position of each person who participated in any way, other than providing clerical assistance, in the preparation of the response. Please also state the name of the witness in this docket who will sponsor the answer to the request and may verify the truth of the response.

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CSWR-TEXAS UTILITY OPERATING COMPANY, LLC

**FIRST REQUEST FOR INFORMATION TO
THE OFFICE OF THE PUBLIC UTILITY COUNSEL**

RFI 1-1 Refer to the Direct Testimony of Mark Garrett on page 6, lines 17-18. Please explain the discrepancy between the 9.62% return on equity (“ROE”) that Mr. Garrett states is recommended by Commission Staff and the 8.20% ROE recommended by Commission Staff in the direct testimony of Emily Sears.

**FIRST REQUEST FOR PRODUCTION TO
THE OFFICE OF THE PUBLIC UTILITY COUNSEL**

RFP 1-1 Please produce all communications between Mr. Garrett, or his representatives, and Commission Staff, related to return on equity issues in this proceeding.

RFP 1-2 Please produce all communications between Mr. Garrett, or his representatives, and OPUC, related to return on equity issues in this proceeding.