



## **Filing Receipt**

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**SOAH DOCKET NO. 473-24-00831 WS  
PUC DOCKET NO. 54683**

<b>APPLICATION OF ENVIRO- MANAGEMENT FOR AUTHORITY TO CHANGE RATES</b>	§ § §	<b>BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS</b>
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**ENVIRO-MANAGEMENT'S FIRST REQUEST FOR DISCOVERY**

TO: John Franklin, [jbf101996@yahoo.com](mailto:jbf101996@yahoo.com), Yvonne Weaver, [yvonnew195808@gmail.com](mailto:yvonnew195808@gmail.com), Rhonda Bynum, [klord49@hotmail.com](mailto:klord49@hotmail.com), Debra Davis, [debdav55@yahoo.com](mailto:debdav55@yahoo.com), Mark Newton, [mark72469@yahoo.com](mailto:mark72469@yahoo.com), Louise Goss, [louisgoss422@gmail.com](mailto:louisgoss422@gmail.com), who constitute the customers of Enviro-Management. Each of the foregoing customers were sent identical Requests for Discovery that included a Request for Disclosure, Interrogatories, Request for Production of Documents and Request for Admissions. These Requests are filed on behalf of Enviro-Management and is binding upon each of the named customers.

Please use Microsoft Word, insert your answers and return to Enviro-Management.

Respectfully submitted,

Sheila D. Agnew dba Enviro-Management  
2424 Sciaaca Road  
Spring, Texas 77373  
281-353-9479  
Email: [enviromgmt@charter.net](mailto:enviromgmt@charter.net)

## INSTRUCTIONS

### *IDENTIFICATION OF DOCUMENTS*

IDENTIFICATION INSTRUCTION NO. 1: With respect to each request, in addition to supplying the information requested, you are to identify all documents that support, refer to or evidence the subject matter of each request and your answer thereto.

IDENTIFICATION INSTRUCTION NO. 2: Any answer stating that the requested document or information will be provided only in prefiled testimony is insufficient and violates the discovery rules covering these proceedings. Enviro-Management is interested in learning what documents or information underlies and supports the opinions of the Opposing Parties that will be presented at the hearing in its prefiled testimony. This information must be presented before prefiled testimony and supplemented up to the hearing.

### *CONTENTION REQUESTS*

When a request requires you to “state the basis of” a particular claim, contention, or allegation, state in your answer the identity of each communication and each and every legal theory that you think supports, refers to, or evidences such claim, contention, or allegation.

### *IDENTIFICATION OF ANSWER PREPARER(S) AND SPONSERS*

Identify all parties involved in the preparation of each RFI answer at the end of that answer. Identify the witness(es) that will sponsor each RFI answer at the hearing at the end of that answer.

## **ENVIRO-MANAGEMENT'S REQUEST FOR DISCLOSURE**

Please provide the following:

- (a) The correct name of the parties.
  
- (b) The name, address, telephone number and email of any potential parties.
  
- (c) The legal theories and, in general, the factual basis of the responding party's claims or defenses.
  
- (d) The name, address, telephone number and email of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

Knowledge of potential violations of Public Drinking Water rules by Enviro-Management

- (e) For any testifying expert,
  - (1) The expert's name, address, telephone number and email address.
  
  - (2) The subject matter on which the expert will testify.
  
  - (3) The general substance of the expert's mental impressions and opinions and a summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of the responding party, documents reflecting such information.

## **INTERROGATORIES**

INTERROGATORY NO. 1. Identify everyone possessing personal knowledge of facts that you will be presenting in your prefiled testimony or used in cross examination of other parties' witnesses by name, address, phone number and email, if employed, workdays and hours when said individual is not available for deposition or informal questioning by Enviro-Management.

INTERROGATORY NO. 2. Identify each individual cost, tax, assessment or expense in Enviro-Management's proposed water utility cost of service (or revenue requirement) that you believe is not reasonable and necessary and should not be recovered through rates in this docket and explain why you hold this opinion.

INTERROGATORY NO. 3. Identify each individual item or plant or investment in Enviro-Management's proposed water utility rate base that you believe is not reasonably priced and should not be included in ratemaking formulas in this docket and explain why you hold this opinion.

INTERROGATORY NO. 4. Identify each individual item or plant or investment in Enviro-Management's proposed water utility rate base that you believe is not used and useful and should not be included in ratemaking formulas in this docket and explain why you hold this opinion.

INTERROGATORY NO. 5. Identify each individual management expense, salary or cost in Enviro-Management's proposed water cost of service you believe should not be included in ratemaking formulas in this docket and explain why you hold this opinion.

INTERROGATORY NO. 6. Identify each rate of return on each component of Enviro-Management's proposed capital structure that you believe should not be included in ratemaking formulas in this docket and explain why you hold this opinion.

INTERROGATORY NO. 7. Identify each individual element of Enviro-Management's proposed rate design or rate design methodology that you believe is not appropriate for ratemaking in this docket and explain why you hold this opinion.

INTERROGATORY NO. 8. Identify all alternative rate design methodologies that you believe are more appropriate for use in this docket. Explain why you hold this opinion.

INTERROGATORY NO. 9. Identify each individual element of Enviro-Management's proposed water tariff you believe is not appropriate for approval in this docket and explain why you hold this opinion.

INTERROGATORY NO. 10. Identify the water rates you believe that Enviro-Management should have and explain how those rates will recover all reasonable and necessary operating expenses, taxes, depreciation on used and useful utility plant dedicated to public service and provide a reasonable opportunity to earn a fair return on that same plant while maintaining the utility's financial integrity. Identify each component of your cost of service that these rates are recovering.

INTERROGATORY NO. 11. Identify each Enviro-Management water service area that you contend is providing poor quality water or inadequate water service. Explain all the reasons why you hold this opinion.

INTERROGATORY NO. 12. Identify by customer name, date, nature of problem, to whom it was reported, what remedial action was taken and when the remedial action was taken for each instance of poor water quality or inadequate water service. Explain why you hold this opinion.

INTERROGATORY NO. 13. Identify by customer name, date, nature of problem, to whom it was reported, what remedial action was taken and when the remedial action was taken for each instance of poor or inadequate customer service, ie, billing, service application, payments, clerical. Explain all the reasons why you hold this opinion.

INTERROGATORY NO. 14. Identify each cost-of-service allocation proposed by Enviro-Management that you believe should not be approved. Explain why you hold this opinion for each identified allocation. Identify every alternative allocation methodology you believe is more appropriate for use in this docket. Explain why you hold this opinion for each identified alternative allocation.

INTERROGATORY NO. 15. Identify each rate base allocation proposed by Enviro-Management that you believe should not be approved. Explain why you hold this opinion for each identified allocation. Identify every alternative allocation methodology you believe is more appropriate for use in this docket. Explain why you hold this opinion for each identified alternative allocation.

### **REQUEST FOR PRODUCTION OF DOCUMENTS**

**REQUEST FOR PRODUCTION NO. 1.** Provide copies of all documents, tangible items and other demonstrative evidence to be used by the Opposing Party at the hearing.

**REQUEST FOR PRODUCTION NO. 2.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate that any cost, tax, assessment or expense in Enviro-Management's proposed water utility cost of service (or revenue requirement) rate application is not reasonable and necessary. With respect to each item produced, identify with specificity which cost, or expense is being challenged and the expert witness that will sponsor that document and this opinion at the hearing.

**REQUEST FOR PRODUCTION NO. 3.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate that any item or plant or investment in Enviro-Management's proposed water utility rate base is not used and useful for ratemaking purposes. With respect to each item produced, identify with specificity which individual item of plant or investment is being challenged and the expert witness that will sponsor that document and this opinion evidence at the hearing.

**REQUEST FOR PRODUCTION NO. 4.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate that any Enviro-Management proposed rate of return on any component of its capital structure is inappropriate for water utility ratemaking purposes in this docket. With respect to each item produced, identify with specificity which rate of return on which component is being challenged and the expert witness that will sponsor that document and this opinion evidence at the hearing.

**REQUEST FOR PRODUCTION NO. 5.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate that any component of Enviro-Management's proposed rate design is inappropriate for water utility ratemaking purposes in this docket. With respect to each item produced, identify with specificity which rate design component is being challenged and the expert witness that will sponsor the document and this opinion evidence at the hearing.

**REQUEST FOR PRODUCTION NO. 6.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate that any fee or charge (water tariff) proposed by Enviro-Management is inappropriate. With respect to each item produced, identify with specificity which fee or charge is being challenged and the expert witness that will sponsor that document and this opinion evidence at the hearing.

**REQUEST FOR PRODUCTION NO. 7.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate that any component, section or provision of Enviro-Management's proposed water utility tariff should not be approved in this docket. With respect to each item produced, identify with specificity which tariff component, section or provision is being challenged and the expert witness that will sponsor that document and this opinion evidence at the hearing.

**REQUEST FOR PRODUCTION NO. 8.** Provide copies of all documents in the possession or control of the Opposing Party that demonstrate that any individual represented by the Opposing Party has received poor customer service from Enviro-Management during or since the test year. With respect to each item produced, identify with specificity which customer was poorly served, when and the expert witness that will sponsor that document and this opinion evidence at the hearing.

**REQUEST FOR PRODUCTION NO. 9.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate that any individual represented by the Opposing Party has received inadequate water service from Enviro-Management during or since the test year. With respect to each item produced, identify with specificity which customer was poorly served, when and the expert witness that will sponsor that document and this opinion evidence at the hearing.



**REQUEST FOR PRODUCTION NO. 10.** Provide copies of all documentation in the possession or control of the Opposing Party that demonstrate which rate case expense incurred by Enviro-Management should be recoverable through rates. With respect to each item produced, identify with specificity which expenses and the expert witness that will sponsor that document and this opinion evidence at the hearing.

### **REQUEST FOR ADMISSIONS**

Please admit or deny:

**REQUEST FOR ADMISSION NO. 1.** Admit that water rates must be set according to the ratemaking methodologies and criterion in Water Code Chapter 13, Subchapter F.

**REQUEST FOR ADMISSION NO. 2.** Admit that customer's personal opinions or preferences about water rates are irrelevant and may not be considered under the ratemaking methodologies and criterion in Water Code Chapter 13, Subchapter F.

**REQUEST FOR ADMISSION NO. 3.** Admit that Enviro-Management's service area using groundwater produced in Montgomery County is subject to the groundwater regulation of the Lone Star Groundwater Conservation District.

**REQUEST FOR ADMISSION NO. 4.** Admit that you are aware that Enviro-Management has not had a rate increase or raised rates in over 10 years.

## CERTIFICATE OF SERVICE

I certify that I served a copy of **Enviro-Management's First Request for** Discovery upon the parties to this proceeding by email, and/or U.S. First Class Mail on this the 19<sup>th</sup> day of December 2023.

Respectfully submitted,

Sheila D. Agnew  
Enviro-Management  
2424 Sciaaca Road  
Spring, Texas 77373  
281-353-9479

*/s/ Sheila D. Agnew*

Sheila D. Agnew