



## **Filing Receipt**

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<b>PETITION BY RESIDENTS OF GRAND</b>	<b>§</b>	<b>BEFORE THE</b>
<b>LAKES MUNICIPAL UTILITY</b>	<b>§</b>	
<b>DISTRICT NO. 2 APPEALING THE</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>WATER RATES ESTABLISHED BY THE</b>	<b>§</b>	
<b>DISTRICT’S BOARD OF DIRECTORS</b>	<b>§</b>	<b>OF TEXAS</b>

**GRAND LAKES MUNICIPAL UTILITY DISTRICT NO. 2’S RESPONSE  
TO GEORGE WAKILEH’S MOTION TO COMPEL RESPONSES  
TO APPELLANT’S SECOND REQUEST FOR INFORMATION**

COMES NOW, Grand Lakes Municipal Utility District No. 2 (GLMUD) and files this Response to George Wakileh’s Motion to Compel Responses to Appellant’s Second Request for Information (RFI) (Motion to Compel).<sup>1</sup> Mr. Wakileh styled his Motion to Compel as “Damning Evidence.”<sup>2</sup> Because the Motion to Compel seeks an order compelling GLMUD to disclose certain information, however, GLMUD responds to Mr. Wakileh’s pleading as a Motion to Compel.<sup>3</sup> GLMUD respectfully shows as follows:

**I. PROCEDURAL HISTORY**

Mr. Wakileh served his Second RFI to GLMUD on June 17, 2024, and GLMUD timely filed its Response on July 8, 2024.<sup>4</sup> Mr. Wakileh subsequently filed his Motion to Compel on July 10, 2024.<sup>5</sup> Therefore, this Response is timely filed.<sup>6</sup>

**II. RESPONSE**

Mr. Wakileh continues to argue his various unsupported allegations regarding GLMUD’s alleged wrongdoings, and without supporting authority claims that “[a]ll email exchanges and meetings that took place in November and December 2023...are unlawful.”<sup>7</sup> His claims are baseless—GLMUD denies Mr. Wakileh’s Texas Open Meetings Act (TOMA) claims in their entirety. The TOMA claims, however, are outside the scope of this proceeding, and thus GLMUD

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<sup>1</sup> Damning Evidence on the MUD’s Involvement in Wrongdoing (Jul. 10, 2024) (Motion to Compel).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 5.

<sup>4</sup> Appellant’s Request for Information (RFI) No. 2 pursuant to 16 Texas Administrative Code (TAC) § 22.144 (Jun. 17, 2024) (Appellant’s RFI No. 2); GLMUD’s Response to Appellant’s Second RFI (Jul. 8, 2024).

<sup>5</sup> Motion to Compel.

<sup>6</sup> 16 TAC § 22.144(e).

<sup>7</sup> Motion to Compel at 2.

does not address them.<sup>8</sup> Rather, GLMUD addresses Mr. Wakileh's request for a Commission order compelling GLMUD "to honor RFI No. 2 and disclose all missing details..., including the files 'GL 2 – 15 Year\_Updated 081523.xlsx' / 'GL 2 – 15 Year\_Updated 12052023.xlsx' and the MUD's Engineer's Capital Improvement Plan (CIP)."<sup>9</sup> Mr. Wakileh's Motion to Compel should be denied for the reasons set forth below.

First, GLMUD disclosed all "email correspondence, phone calls, and/or personal meetings" regarding the rate order held before the December 18, 2023, Board Meeting.<sup>10</sup> Mr. Wakileh, without supporting evidence, argues there must be more responsive communication.<sup>11</sup> His theories, however, are unfounded—there is no more responsive communication to provide. Second, GLMUD did provide the GL 2 – 15 Year\_Updated 081523.xlsx and GL 2 – 15 Year\_Updated 12052023.xlsx files.<sup>12</sup> These files were provided as PDFs at Bates 19 and 20 of GLMUD's Response.<sup>13</sup> Finally, the CIP was not attached to any emails regarding the rate order, and thus is not responsive to Appellant's Second RFI. GLMUD's bookkeeper incorporated data from the CIP to prepare the GL 2 – 15 Year\_Updated 081523.xlsx and GL 2 – 15 Year\_Updated 12052023.xlsx files, which the bookkeeper subsequently provided to GLMUD. Because the CIP is not responsive to Appellant's Second RFI, Mr. Wakileh's Motion to Compel should be denied.

### III. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, GLMUD respectfully requests the Commission to deny Mr. Wakileh's Motion to Compel. GLMUD further requests any other relief to which it may be entitled.

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<sup>8</sup> *Compliant of Carol D. Gillespie Against Avalon Water Supply and Sewer Services Corporation (37985-I)*, Docket No. 43146, Final Order at 4 (Mar. 9, 2017) (holding "the Commission does not have the authority to evaluate [TOMA] violations" due to the lack of "express statutory language granting the Commission jurisdiction on these matters").

<sup>9</sup> Motion to Compel at 5.

<sup>10</sup> Appellant's RFI No. 2 at 2.

<sup>11</sup> Motion to Compel at 2.


<sup>12</sup> GLMUD's Response to Appellant's Second RFI, Attachment Appellant 2-1 at Bates 19-20.

<sup>13</sup> *Id.*

Respectfully submitted,

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**ATTORNEYS FOR GRAND LAKES  
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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 July 17, 2024, in accordance with the Order Suspending Rules, issued in Project No. 50664.



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JAMIE L. MAULDIN