

AUSTIN ENERGY 2016 RATE REVIEW

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AUSTIN ENERGY'S TARIFF PACKAGE §
UPDATE OF THE 2009 COST OF §
SERVICE STUDY AND PROPOSAL TO §
CHANGE BASE ELECTRIC RATES §

2016 FEB 25 AM 11:21
BEFORE THE CITY OF AUSTIN
IMPARTIAL HEARING EXAMINER

**NXP Semiconductors and Samsung Austin Semiconductor, LLCs' Third Request for
Information to Austin Energy**

COMES NOW NXP Semiconductor, Inc. ("NXP") and Samsung Austin Semiconductor, LLC, ("Samsung") (collectively, "Customers"), each on its own behalf, by and through its attorneys of record, and requests that Austin Energy ("Austin Energy" or "you") provide information and answer the attached questions under oath pursuant to Procedural Rule § 7.3. It is further requested that the questions be answered in the order in which they are asked with as much detail so as to fully present all of the relevant facts.

INSTRUCTIONS

Please answer the attached questions on separate pages and copy the question immediately above the answer to each question. Following each answer, please identify the witness or witnesses or other individual(s) who will sponsor each of your answers at the hearing. These questions are continuing in nature and, should there be a change in circumstances which would modify or change any of your answers, then, in such case, please change or modify each answer and submit such changed answer as a supplement to the original answer within three (3) business days of your discovery that such change or modification is appropriate, pursuant to Procedural Rule § 7.3(i).

In answering this request for information, you are requested to furnish such information as is available to you, including information which you are able to obtain by due diligence from your present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on your behalf.

If you are unable to answer any request fully and completely after exercising the due diligence to make inquiry and to secure information, you are to answer such request as fully and completely as you can and to specify the portions which you are unable to answer in such request. In addition to specifying those portions, you are to state with regard to each portion:

1. The fact on which you base the contention that you are unable to answer that portion;
2. The knowledge, information, and belief you have concerning that portion; and
3. The acts done and inquiries made by you in attempting to answer such request.

The singular includes the plural and the plural includes the singular.

Masculine, feminine, or neuter pronouns do not exclude the other genders.

The words “document” and “documents” have the broadest meaning that can be ascribed to them pursuant to the Texas Rules of Civil Procedure. Among other things, the words “document” and “documents” mean the final form and all drafts and revisions of any kind of written or graphic mater, original or reproduced copy, however produced or reproduced, of any kind and of every kind, and all copies there from which are different in any way from the original regardless of whether designated “confidential,” “privileged,” or otherwise restricted. Without limiting the generality of the foregoing, the words “document” and “documents” also include information stored or maintained on, or which could be reproduced from, film, microfilm, computer printout, disk or diskette, magnetic tape, cassette, phonographic disc, videotape or similar means.

The words “and” and “or” shall be construed conjunctively or disjunctively as necessary to bring within each request all documents which might otherwise be construed as outside its scope.

The words “communication” and “communications” include, without limitation of their generality, both written and oral: statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia. These words include, without limitation of their generality, both communications and statements which are face-to-face and those which are transmitted by any writing or document or by media such as intercoms, telephones, email, television or radio.

The words “identify” and “identification,” when used with respect to a natural person or persons, mean to state the name, address(es) and telephone number(s) of each such person. If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “identification,” when used in reference to a person other than a natural person, mean to set forth its:

- (1) full name or title;
- (2) nature or organization, including the state under which the same was organized or incorporated;
- (3) address and telephone number (with area code prefix); and
- (4) principal line of business.

If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “describe,” when used in reference to a fact, mean to state not only the fact itself, but also:

- (1) its date, time and place
- (2) the name, address and telephone number of each person with knowledge of the fact;
- (3) whether the act is supported by an oral communication, a document, or other event;
and
- (4) any other evidence which supports such fact.

The words “identify” and “identification,” when used in reference to a document, mean to state:

- (1) its date;
- (2) its author;
- (3) its addressee;
- (4) the type of document (e.g., letter, memorandum, receipt, invoice, schedule, report, telegram, chart, photograph, etc.); and
- (5) its present location and identity of its custodian. If any document was, but is no longer, in your possession, custody, or control, or is no longer in existence, explain why.

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If any of the foregoing information is not available, state any other available means of identifying such document. If a document is one of a series of pages contained in a book, pamphlet, binder, folder, microfilm (or other storage device), include in your identification of such document(s) any available numerical reference (or other aid) to the pages and line or other portion thereof at which the information referred to can be found. A true and correct copy of any document may be produced and filed with your Answers hereto in lieu of the above information.

The words “identify” and “describe,” when used with respect to an oral communication mean:

- (1) to state the substance of each such oral communication;
- (2) to state the exact words used by each person participating in the oral communication;
- (3) to identify each speaker;
- (4) to identify each person present at the making or reception of such oral communication;
- (5) to specify the date, time and place of each oral communication;
- (6) to identify each person repeating such oral communication;
- (7) to identify every document which records, memorializes, or relates to all or part of such communication; and
- (8) to identify the mode of such communication (e.g., telephone, face-to-face, etc.)

The words “person” and “persons” as used herein, mean all individuals and entities, and shall be deemed to include natural persons, firms, partnerships, associations, organizations, joint ventures, corporations, and any other entities, including without limitation, any electric utility, cogenerator, independent power producer, qualifying facility, or any other entity which generates electricity.

The words “regarding,” “relate,” “related,” “relates” and “relating,” as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

If you withhold any requested information from disclosure because you contend that it is "confidential" or otherwise subject to exemptions from disclosure in this proceeding under the Texas Public Information Act, Tex. Gov't Code Ch. 552, or otherwise, please consider this to constitute a formal Request under the Public Information Act. Please also submit a Privilege Index pursuant to and consistent with Procedural Rule § 7.3(d)(2).

If you have any question concerning the attached Questions or any of these instructions, please contact the undersigned.

Respectfully submitted,

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**ATTORNEYS FOR NXP SEMICONDUCTORS AND
SAMSUNG AUSTIN SEMICONDUCTOR, LLC**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this pleading has been forwarded by fax, U.S. first class mail, hand-delivery, or by courier service to Austin Energy and filed with the City Clerk on the 25 day of February, 2016.

Maria Faconti
Maria C. Faconti

**NXP Semiconductors and Samsung Austin Semiconductor, LLC Third Request for
Information to Austin Energy**

- 3-1. Please provide monthly Austin Energy system peak demands for 2006 through 2015.
- 3-2. Please provide monthly Austin Energy system demands at the times of the ERCOT system peaks for 2006 through 2015.
- 3-3. Refer to Work Paper E-4. Please describe, by line item, the nature of the Miscellaneous Non-operating Income recorded in 421, including the explanation of why \$16,389,381 was deducted as a known and measurable adjustment.
- 3-4. Refer to Work Paper E4.3, Excel line 14. Please explain why a loss on Disposal of Assets is a recurring transaction.
- 3-5. Refer to Work Paper E4.3, Excel line 11. Please describe the purpose of the CTM Transfer.
- 3-6. Please provide the supporting workpapers and documentation of the 311 Call Center Reimbursement.
- 3-7. Please provide the total cost in the test year 311 Call Center paid by Austin Energy.
- 3-8. Please provide the all supporting documentation and authorization for Austin Energy to transfer \$11,437,520 and \$333,333 for Economic Development.
- 3-9. Please provide documentation for Austin Energy's transfer to the Worker's Compensation Fund in the test year.
- 3-10. Please provide by FERC account the amounts charged to Austin Energy through the indirect cost allocation study during the test year.
- 3-11. Please described any changes if any to the indirect cost allocation study made since the last rate review.
- 3-12. Please refer to WP C-3.1.1. Please identify the assets that were financed by "Separate Lien" shown on Excel lines 13 and 28.
- 3-13. If line 13 relates to OSER, please explain why only the test year amounts were removed from the Austin Energy's Cost of Service, instead of incorporating the \$11,144,313 as a known and measurable change that will be in effect at the time the rates from this proceeding are in effect.
- 3-14. Please refer to WP C-3.1.1. Please identify the known and measurable adjustment on this workpapers.
- 3-15. Please refer to WP C-3. Please provide a schedule that shows the receipt of CIAC by project during the test year.
- 3-16. Please refer to WP C-3.4. Please provide a description of projects in Fund 3220.

- 3-17. Why did Austin Energy chose to fund 55.6% of its construction projects with cash in 2015?
- 3-18. Refer to Schedule G-2, columns (F) and (Q), Quick Response-Natural Gas.
- (a) Please define Quick Response-Natural Gas.
 - (b) Do specific generation units provide quick response? If so, what generation units are utilized for quick response?
 - (c) Provide the output of quick response energy by month for the test year and for the prior 5 years.