

AUSTIN ENERGY'S TARIFF PACKAGE: §
2015 COST OF SERVICE STUDY §
AND PROPOSAL TO CHANGE BASE §
ELECTRIC RATES §

2016 MAR -3 AM 7:48
BEFORE THE CITY OF AUSTIN
IMPARTIAL HEARING EXAMINER

DATA FOUNDRY, INC.'S MOTION TO INTERVENE

This Motion to Intervene ("Motion") is being filed by Data Foundry, Inc. ("Data Foundry"). Data Foundry is an Austin Energy retail customer and will be impacted by the results of this proceeding. Data Foundry is therefore an affected party and entitled to be an intervenor.

A. Data Foundry has reviewed Austin Energy's Rate Filing Package and is familiar with IME Memorandum #6 and the parties' continued debate over the listed issues to be included or excluded. Data Foundry will try to avoid repetition of matters covered by IME Memorandum #6. Data Foundry does, however, intend to raise the following issues in addition to or along with other issues already denoted by other parties and the IME:

(1) Does the Rate Filing Package seek recovery of expenses that would not be eligible for recovery by PUC-regulated utilities under the Public Utility Regulatory Act, including but not limited to Tex.Gov.Code §§36.062?

(2) Should Austin Energy's cost allocation and rate design be determined and constructed to ensure that distribution related charges do not recover generation or transmission related costs, or measure distribution costs using assignment methods appropriate for generation and transmission but not necessarily appropriate for distribution?

(3) Does Austin Energy's proposed rate design for each of the discrete LPS sub-classes properly reflect and recover the recognized costs imposed by those sub-classes, without creating undue explicit or implicit subsidies to other classes and sub-classes?

(4) Does Austin Energy's proposed rate design for each LPS sub-class properly recognize and take into account the different cost characteristics imposed by individual customers that have a relatively high load factor in comparison to other customers in the same sub-class?


(5) Should the rate design be structured in a fashion that truly and properly tracks the individual underlying electric utility functions being performed and provided?

(6) Should bills to customers allow the customer to discern the discrete charges being imposed for each individual utility function that is performed and provided, and separately identify other billing charges related to non electric utility functions or activities, passthroughs

and/or actual or effective transfers to the general fund or subsidies benefitting other city departments or activities?

B. All documents related to this proceeding should be emailed to counsel for Data Foundry at the following email address: wsmc@dotlaw.biz.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, W. Scott McCollough, certify that I have served a copy of this Motion to Intervene on all parties listed on the Service List for this proceeding published at <http://www.austintexas.gov/edims/document.cfm?id=247694> as it exists on the date this Motion to Intervene is filed, using the email address provided for the party representative.



W. Scott McCollough