

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

AUSTIN ENERGY  
2016 MAR 3 AM 7:53  
BEFORE THE CITY OF AUSTIN  
IMPARTIAL HEARING EXAMINER

**JIM ROURKE'S FIRST REQUEST FOR  
INFORMATION TO AUSTIN ENERGY**

Jim Rourke submits this First Request for Information to Austin Energy in the captioned proceeding. Under §§ 7.1 - 7.3 of the City of Austin Procedural Rules For The Initial Review Of Austin Energy's Rates, Jim Rourke requests that Austin Energy, as defined herein, provide the following information and answer the following questions under oath. Please answer the questions and sub-questions in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the question.

**Definitions**

As used in this introduction and in these questions,

- (1) "Austin Energy", "AE", "you", "your" and "yours" refer to Austin Energy, including its directors, officers, employees, consultants, agents, and attorneys.
- (2) "Document" and "documents" mean any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tapes, film, electronic facsimile, computer storage device or any other media, including, but not limited to, electronic mail (e-mail), memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports and summaries

of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form.

### **Instructions**

1. The Definitions, Instructions, and Claim of Privilege set out in this Request for Information apply to these questions.
2. In answering these questions, furnish all information that is available to you, including information in the possession of your agents, employees, and representatives, all others from whom you may freely obtain it, and your attorneys and their investigators.
3. Please answer each question based upon your knowledge, information, or belief, and any answer that is based upon information or belief should state that it is given on that basis.
4. If you have possession, custody, or control of the originals of requested documents, please produce the originals or a complete copy of the originals and all copies that are different in any way from the original, whether by interlineation, receipt stamp, or notation.
5. If you do not have possession, custody, or control of the originals of the documents requested, please produce copies of the documents, however made, in your possession, custody, or control. If any document requested is not in your possession or subject to your control, please explain why not, and give the present location and custodian of any copy or summary of the document.
6. If any question appears confusing, please request clarification from the undersigned submitting party.
7. In providing your responses, please start each response on a separate page and type, at the top of the page, the question that is being answered.

8. As part of the response to each question, 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 preparing of the answer. If the question has sub-parts, please identify the person or persons by sub-part. Please also state the name of the witness in this rate case who will sponsor the answer to the question and who can vouch for the truth of the answer. If the question has sub-parts, please identify the witness or witnesses by sub-part.
9. Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.
10. These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer between the time of your original response and the time of the hearings, then you should submit, under oath, a supplemental response to your earlier answer.
11. If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please call the undersigned counsel as soon as possible in order to discuss the situation and to try to resolve the problem. Likewise, if you object to any of the questions on the grounds that the question seeks confidential information, or on any other grounds, please call the undersigned counsel as soon as possible.
12. If the response to any question is voluminous, please provide separately an index to the materials contained in the response.
13. If the information requested is included in previously furnished exhibits, workpapers, or responses to other discovery inquiries or otherwise, in hard copy or electronic format,

please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references.

14. To the extent that a question asks for the production of copyrighted material, it is sufficient to provide a listing of such material, indicating the title, publisher, author, edition, and page references relied on or otherwise relevant to the question.

#### **Claim of Privilege**

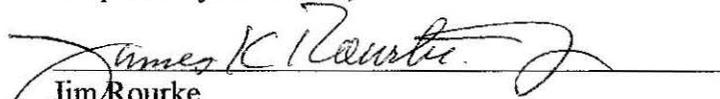
If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

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

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1. Exhibit A attached to this request for information is slide 16 of the slide presentation made by representatives of Austin Energy on or about January 25, 2016 to City of Austin officials. Please confirm the accuracy of the information shown on the attached Exhibit A slide.
2. Please produce a chart similar to Exhibit A, containing the same kind of information as presented on Exhibit A, which is applicable to Austin Energy's proposed rates in this case (instead of existing electric rates).
3. Please identify the Austin Energy witness who can testify at the hearing about the information contained in Exhibit A and the chart requested in the above request no. 2.
4. Please state the average monthly kWh usage above which a residential customer's rates exceed the cost of service (using Austin Energy's cost of service study in this case) under (a) Austin Energy's existing rates, and (b) Austin Energy's proposed rates. Please explain your answer.
5. Please state the percentage amount that each tier of residential rates would have to be increased or decreased from existing rates in order to achieve unity with cost of service (using Austin Energy's cost of service study in this case).
6. In Exhibit A, there appears to be a portion of residential customers (*i.e.*, customers whose average use more than 1400 kWh of electricity per month) who pay more than their cost of service (using Austin Energy's cost of service study in this case). If this is correct, please reconcile this circumstance with the statement that the entire residential class pays less than its cost of service. Please be specific in your explanation.

Respectfully submitted,

  
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Jim Rourke

State Bar No. 17323700

Tel. (512) 736-6651

Email: jim78731@gmail.com

**CERTIFICATE OF SERVICE**

I certify that today, March 2, 2016, I served a true copy of the foregoing Jim Rourke's First Request for Information To Austin Energy on all parties of record via email.

  
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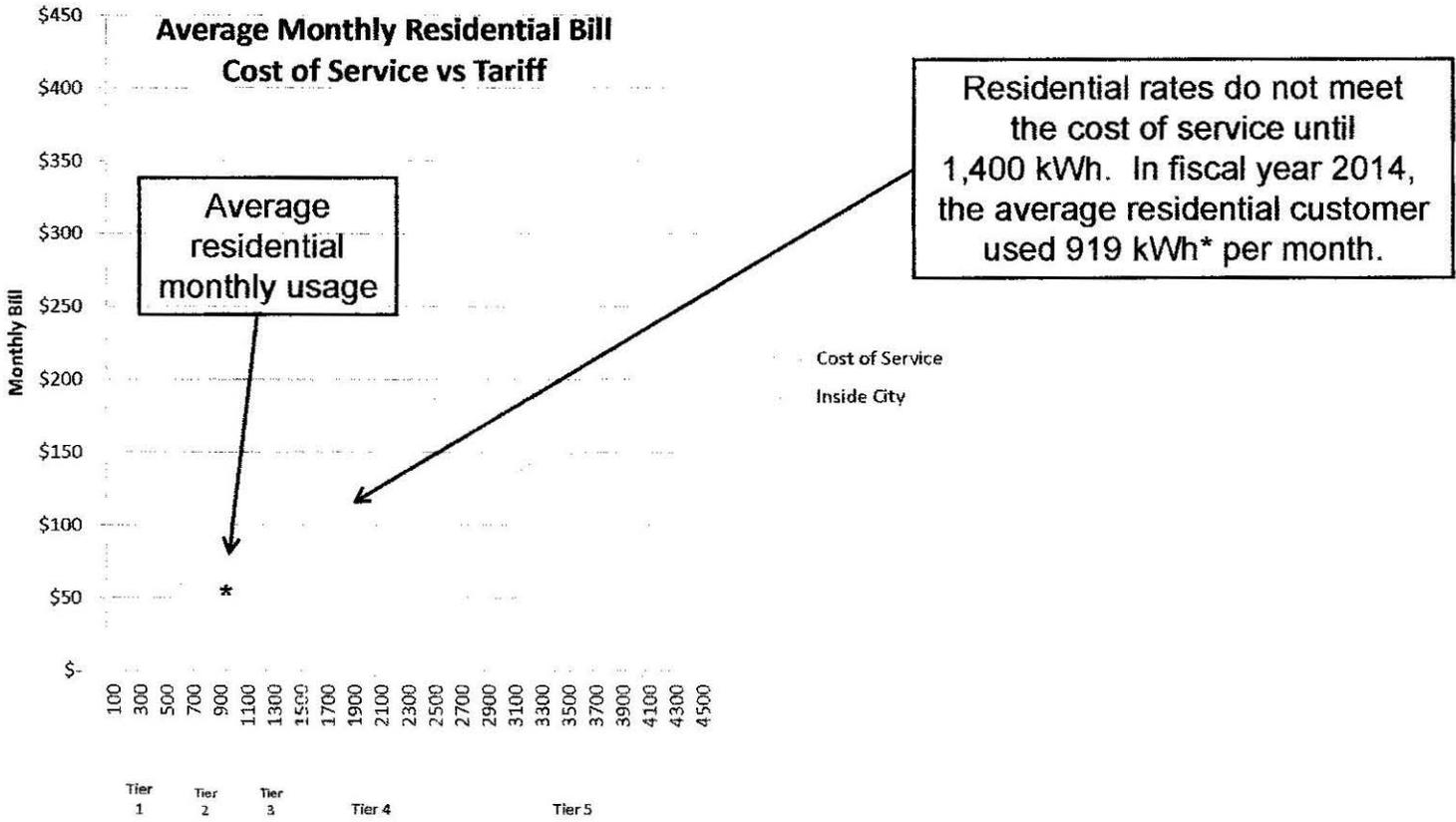
Jim Rourke

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**EXHIBIT A**

**Nearly 80 Percent of Residential Electricity is Sold  
Below the Cost of Service**



*Note: Annual consumption of 903 kWh as reported by EIA is based on 2014 calendar year while the 919 kWh is based on City of Austin's fiscal year 2014.*