

Mr. Brocato's Direct Line: (512) 322-5857
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April 22, 2016

Alfred Herrera, IHE
ATTN: City Clerk
City of Austin
301 W. 2nd Street
Austin, Texas 78701

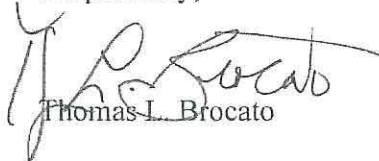
Re: *Austin Energy's Tariff Package: 2015 Cost of Service Study and Proposal to
Change Base Electric Rates*

Dear Examiner Herrera:

Austin Energy filed its Objection to Paul Robbins' Fourth Request for Information ("RFI") on April 18, 2016. Pursuant to the City of Austin Procedural Rules for the Initial Review of Austin Energy's Rates § 7.3(e), motions to compel are due no later than three business days after the objection is received. Rule 3.1(e) states that all documents shall be filed by 12:00 p.m. on the due date. Paul Robbins' Motion to Compel regarding his Fourth RFI was untimely filed at 3:03 p.m. on April 21, 2016. Accordingly, Austin Energy will not be responding to this motion.

Additionally, this motion seeks to compel confidential, proprietary customer information that is exempted from disclosure under the Texas Public Information Act, Tex. Gov't Code § 552.133, Confidentiality of Public Power Utility Competitive Matters. Therefore, Austin Energy cannot produce the requested information.

Respectfully,


Thomas L. Brocato

TLB:jbp
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cc: All parties

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