

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

AUSTIN ENERGY
2016 MAY -5 PM 1:41
BEFORE THE CITY OF AUSTIN
IMPARTIAL HEARING EXAMINER

**AUSTIN ENERGY'S
FIRST REQUEST FOR INFORMATION
TO AE LOW INCOME CUSTOMERS**

Austin Energy ("AE") files this first information request to AE Low Income Customers. AE Low Income Customers is hereby requested to provide information and answer the attached questions pursuant to Procedural Rule 7.3. The responses are due by 12:00 p.m. within five (5) calendar days. These requests shall be deemed continuing so as to require further and supplemental responses if AE Low Income Customers receives or generates additional information within the scope of these requests between the time of the original response and the time of the hearing. Please provide supporting documentation in native Excel format with all formulas intact when applicable.

DEFINITIONS AND INSTRUCTIONS

A. "Austin Energy" and "AE," refer to the City of Austin d/b/a Austin Energy, including its directors, officers, employees, consultants, agents, advisors, and attorneys.

B. "City" refers to the City of Austin, including its various departments, offices, officers, employees, consultants, agents, and attorneys, other than Austin Energy.

C. "You," "yours," and "your" refer to AE Low Income Customers, including its directors, officers, employees, consultants, agents, and attorneys.

D. The term "document" shall have the broadest meaning possible under the Texas Rules of Civil Procedure and shall include, but not be limited to, the original (or a copy when the original is not available), each non-identical copy (including those which are non-identical by reason of notations or marking, or by appearing in the files of a separate person), and any books, notebooks, pamphlets, periodicals, letters, reports, memoranda, handwritten notes, notations, messages, telegrams, wires, cables, press or news wire releases, records, studies, analyses, summaries, magazines, booklets, circulars, catalogs, bulletins, instructions, operating or maintenance manuals, operating or product specifications, fabrication sheets, test data, design specifications, parts lists, calendars, day-timers, notes or records of meetings, notices, purchase orders, bills, ledgers, checks, tabulations, questionnaires, surveys, drawings, sketches, schematics, blueprints, flow sheets, working papers, charts, graphs, indices, tapes, agreements,

releases, appraisals, valuations, estimates, opinions, financial statements, accounting records, income statements, photographs, films or videotapes, back-up tapes, minutes, contracts, leases, invoices, records of purchase or sale, correspondence, electronic or other transcription or tapings of or notes pertaining to telephone or personal conversations or conferences, tape recordings, electromagnetic recordings, voice mail message or transcriptions thereof, interoffice communications of all types, e-mail messages, printouts of e-mail messages, instant messages or printouts thereof, microfilms, electronic databases, CDs, DVDs, videotapes or cassettes, films, movies, computer printouts and any and all other written, printed, typed, punched, engraved, taped, filmed, recorded (electronically or otherwise), labeled, or graphic matter, of whatever description, however produced or reproduced (including computer-stored or generated data, together with instructions or programs necessary to search and retrieve such data), and shall include all attachments to (including tangible things) and enclosures with (including tangible things) any requested item, to which they are attached or with which they are enclosed, and each draft thereof. A draft of a non-identical copy is a separate document within the meaning of this term. An electronic copy of a paper documents is a separate document within the meaning of this term.

E. Austin Energy specifically requests that any electronic or magnetic data (which is included in the definition of “document”) that is responsive to a request herein be produced electronically in its native format and be produced with your response to these requests. Austin Energy further requests that you produce electronic copies of all paper documents, including any metadata attached to such documents, and produce all electronic originals or all responsive documents.

F. The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

G. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”

H. “Any” shall be construed to include “all” and “all” shall be construed to include “any.”

I. The term “concerning,” or one of its inflections, includes the following meanings: relating to; referring to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

J. The term “including,” or one of its inflections, means and refers to “including but not limited to.”

K. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.

L. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

M. 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 Rules of Evidence, the Texas Rules of Civil Procedure, other law, or by Procedural Rule 3.1(d), please submit an index consistent with Procedural Rule 7.3(d)(2).

N. If the information requested is included in previously furnished exhibits, workpapers, 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.

Respectfully submitted,

LLOYD GOSSELINK ROCHELLE &
TOWNSEND, P.C.

816 Congress Avenue, Suite 1900

Austin, Texas 78701

(512) 322-5800

(512) 472-0532 (Fax)

tbrocato@lglawfirm.com

hwilchar@lglawfirm.com



THOMAS L. BROCATO

State Bar No. 03039030

HANNAH M. WILCHAR

State Bar No. 24088631

ATTORNEYS FOR AUSTIN ENERGY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading has been served on all parties and the Impartial Hearing Examiner on this 5th day of May, 2016, in accordance with the City of Austin Procedural Rules for the Initial Review of Austin Energy's Rates.



THOMAS L. BROCATO

Austin Energy's First RFI to AE Low Income Customers

- AE1-1. On page 3 under 'Adjustments to AE's Revenues' for part 1a, please provide all supporting documentation and calculations for the inputted residential customer charge revenue of \$5,065,800 and base energy revenue of \$3,894,831.
- AE1-2. On page 5 under the topic 'Rate Design' for part 3, please provide all supporting documentation and studies for each of the statements listed below. In addition, please indicate whether each statement is a fact or opinion.
- a. "An inverted block rate design promotes energy efficiency."
 - b. "The design of an inverted block rate requires the initial block or first two blocks, depending upon the number of rating tiers, to be priced below average cost."
 - c. "AE's first tier represents the most inelastic usage tier."
 - d. "Rates should be significantly below cost."
 - e. "A rate design promoting energy efficiency requires low fixed charges."
 - f. "Under an inverted block rate design the average price to a customer is smoothed because each price tier is incrementally added to the bill."
- AE1-3. On page 6 under the topic 'Rate Design' for part 5a, please provide all supporting documentation and studies related to the ERCOT market for the statement "[t]he volatility of fuel costs and market costs are not limited to seasonal time periods."
- AE1-4. On page 7 under the topic 'Rate Design' for part 5b, please provide all supporting documentation for the statement, "AE would not be required to adjust its rates downward when it experiences an over recovery of its costs."