

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

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BEFORE THE CITY OF AUSTIN
IMPARTIAL HEARINGS
EXAMINER

**AE LOW INCOME CUSTOMERS' 10th SET OF REQUESTS FOR INFORMATION TO
AUSTIN ENERGY**

COMES NOW, Texas Legal Services Center ("TLSC") on behalf of AE Low Income Customers, requesting Austin Energy to respond to the following 10th set of Requests for Information set forth below relating to this case. Austin Energy is requested to serve its response to these Requests for Information on the attorney listed below no later than five days after AE receives this request.

Definitions

As used in this introduction and in these questions,

1. "Communication" means any disclosure, transfer, or exchange of information, whether oral or written, of every kind including but not limited to, telephone calls, conferences, letters and all memoranda or other documents concerning the requested item.
2. "Austin Energy", the "utility," "AE", and "Applicant" refer to Austin Energy.
3. "You," "yours," and "your" refer to Austin Energy (as defined above), including its General Manager, managers, officers, employees, consultants, agents and attorneys.
4. "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 of any other media, including, but not limited to, 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. A draft or non-identical copy is a separate document.
5. "Identify" has the following meanings depending on the context:
 - a. "Identify" when used with a natural person means to supply his or her name, last known residential and business addresses, last known residential and business telephone numbers, his or her present position, and his or her prior connection or association with any party to this proceeding. If the above information is unavailable, provide some other means of identifying the person and his or her present location.

- b. "Identify" when used with an entity means to provide its name, manner of organization (e.g., corporation, partnership, joint venture, etc.), address and telephone number.
 - c. "Identify" when used with a documents means to supply (i) the nature of the document (e.g., letter, memorandum, corporate minutes), (ii) the date, if any, appearing on the document, (iii) the date, if known, on which the document was prepared, (iv) the title of the document, including any jurisdictional styles and docketing numbers, if applicable, (v) the general subject matter of the document, (vi) the number of pages comprising the document, (vii) the identity of each person who signed or initialed the document, (viii) the identity of each person to whom the document was addressed, (ix) the identity of each person who received the document or reviewed it, (x) the location of the document and (xi) the identity of each person having custody of, or control over, the document. Identification of a document includes identifying all documents known or believed to exist, whether or not in the custody of CenterPoint or in the custody of its attorneys or other representatives or agents.
 - d. "Identify" when used with any other thing or matter means to provide a description with detail sufficient to allow a party to this action to identify it and determine its present location.
6. "FY" means fiscal year as utilized by AE and the City of Austin for budgeting purposes and for the council setting of AE electric rates that occur annually.
 7. "Council" or "City" means the Austin City Council.
 8. "Person" means any natural person. The term also means, whether formally organized or ad hoc, any business, organization, legal entity, or governmental entity.
 9. "Representative" means a general manager, officer,, employee, agent, spokesperson, or attorney of a person.
 10. The words "and" and "or" are to be construed conjunctively or disjunctively as necessary to give each request its broadest scope.
 11. The singular form of a word also refers to the plural, unless the context requires otherwise.
 12. "COS" means cost of service study AE presented as part of its rate case filing in this case.
 13. "TY" means test year and represents the time period AE relied upon in developing its cost of service study presented in this rate filing.

Instructions

1. Please answer the questions and sub-questions under oath and in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the question.
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 (as defined by Tex. R. Civ. P. 192.7(b)) of the originals of these documents requested, 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 counsel.
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 subparts, please identify the person or persons by subpart. Please also state the name of the witness or witnesses in this docket who will sponsor the answer to the question and who can vouch for the truth of the answer. If the question has subparts, please identify the witness or witnesses by subpart.
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 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, description of document, subject matter of the document, and the basis upon which such privilege is claimed.
14. 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.
15. If you are asked to identify a document and you do not include a copy of the document with your response, please provide the following information (if applicable) about the document:
 - a. The identity of the person who signed it;
 - b. The identity of the person or persons to whom it was addressed;
 - c. The identity of the persons who prepared it;

- d. The title and substance of the document with enough detail to identify the document;
- e. The date of the document;
- f. The date the document was executed or prepared, if different from the date it bears; and
- g. If the document, or a copy of it, is not in your custody or control, the identity of the person who has control or custody of it or a copy of it.
- h. If the person to be identified is not a natural person (e.g. a corporation) give its name and address and principal business activity.

Request for Information

The definitions and instructions set out in this Request for Information apply to these questions. Unless specified otherwise in the RFI, these RFIs refer to AE's Rebuttal Testimonies filed in this rate case.

10-1. On page 8 of AE rebuttal testimony of Greg Canally, Mr. Canally testifies that the direction of the \$14.5 million dollar proceeds from the sale of land in connection to the former Energy Control Center to help fund the "new ECC on Riverside Drive" was made by the City Council when it approved the MDA. Please identify each document, including emails, notes, memos, presentations, legal documents, transcripts, power point presentations that AE is aware of that supports this statement.

10-2. Please provide a copy of each document identified in No. 10-1 and for each document, identify where in that document is the supporting information located?

10-3. Is any of the costs related to the construction of and/or operation of "the new ECC on Riverside Drive" included in the TY2014 COS, including CIP and the AE requested transfer to CIP? If so, please identify the amount and where each cost included in the COS is located?

10-4. Please provide copies of all documents in your care, custody or possession that relate to AE's "new ECC on Riverside Drive", including Council agenda items, budgets, memos, studies, reports, emails.

10.5. Is "the new ECC on Riverside Drive" already operating? If the answer is yes, when did it start operating? Also, if yes, how were the costs for the "new ECC on Riverside" funded (debt, cash, commercial paper, etc.), and when did AE start funding the costs?

10.6. If the answer to No. 10.5 is yes, does AE have any outstanding debt obligations related to "the new ECC on Riverside Drive"? If so, please state the amount of the outstanding debt obligations and specify the terms of each such outstanding debt obligation.

10-7. On page 15 of AE's rebuttal testimony of Deborah Kimberly, Ms. Kimberly stated that commercial customers are funding over half of the residential rebates. Please provide the following in relation to this statement:

- a. AE's underlying calculations AE relied upon to support this statement;

- b. The time period AE relied upon for determining the calculations that support the statement;
- c. The listing of each energy efficiency program included in the calculations;
- d. For each program identified in (c) provide:
 - i. The amount of rebates;
 - ii. The classification of the program (i.e. residential, commercial, other);
 - iii. The amount in rebates and such other energy efficiency benefits AE included in its calculations relating to multifamily customers and rebate recipients broken out by multifamily customer (identifying the “customer” AE directly provided the services to by customer class) and by rebate recipients (please identify the rebate recipients by customer class);
 - iv. Whether the program is classified as a multifamily program
- e. The amount of energy efficiency revenues AE realized from each customer class for each of the following FYs: FY 2014, 2015, 2016 (budgeted);
- f. The Customer Energy Solutions Program Progress Report for 2014-2015;
- g. The energy efficiency FY 2016 budget broken down by program including solar and demand management and electric vehicle programs funded with energy efficiency revenues.
- h. For each program identified in (g), please provide the following:
 - i. The budgeted amount;
 - ii. The classification of the program (i.e. residential, commercial, other);
 - iii. Whether the program is classified as a multifamily program;
- i. Please provide the amount of over recoveries AE incurred in FY 2014, FY 2015 and projected in FY 2016.

10-8. On p. 17 of AE rebuttal witness Deborah Kimberly’s written testimony Ms. Kimberly states, “This decision was made to ensure that AE’s rates become more competitive when compared to the deregulated market, where these customers do not pay this charge.” Please identify all documentation, including emails, notes, memos, studies, etc., AE is aware of that supports this statement.

10-9. Please provide a copy of each document identified in No. 10-8.

10-10. At p. 25 of AE rebuttal witness Dombroski’s rebuttal testimony, Mr. Dombroski testifies that bad debt expense is continuing to increase. In support, Mr. Dombroski references an Austin Energy Utility Oversight Committee presentation. Please provide a copy of that presentation.


10-11. Since 2011 to the present, has AE made presentations to the Electric Utility Commission, the Austin City Council and/or Austin Energy Utility Oversight Committee concerning uncollectables, payment arrangements, disconnections for non-payment, and/or overdue balances?

10-12. If the answer to No. 10-11 is yes, please identify each document, including memos, power point presentations, emails and such other forms of communication, AE is aware of that it has provided the Electric Utility Commission, the Austin City Council and/or the Austin Energy Utility Oversight Committee relating to and/or in conjunction with these presentations.

10-13. Please provide a copy of each document identified in No. 10-12.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that TLSC has served a copy of the attached document upon all known parties of record by email and to the Impartial Hearing Examiner on the 23rd day of May 2016


Lanetta M. Cooper