

**AUSTIN ENERGY'S  
2022 BASE RATE REVIEW**

**§ BEFORE THE CITY OF AUSTIN  
§  
§ IMPARTIAL HEARING EXAMINER**

**AUSTIN ENERGY'S FIRST REQUEST FOR INFORMATION TO  
TEXAS INDUSTRIAL ENERGY CONSUMERS**

Austin Energy ("AE") files this first information request to Texas Industrial Energy Consumers ("TIEC"). TIEC is hereby requested to provide information and answer the attached questions pursuant to Procedural Rule F2(f). 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 TIEC 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. "TIEC" refers to Texas Industrial Energy Consumers, 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 TIEC, 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).

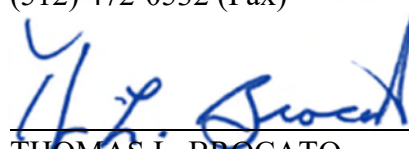
N. If the information requested is included in previously furnished exhibits, workpapers, responses to other discovery inquiries or otherwise, in hard copy or electronic format,

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

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &  
TOWNSEND, P.C.**

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**ATTORNEYS FOR THE CITY OF AUSTIN  
D/B/A 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 June 29, 2022, in accordance with the 2022 Austin Energy Base Rate Review Procedural Guidelines.



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THOMAS L. BROCATO

## **Austin Energy's First RFI to TIEC**

- AE1-1: Please describe what binding impact PUCT precedent has on Austin City Council decisions regarding Austin Energy's base rates.
- AE1-2: Regarding pages 6 and 7 of LaConte's testimony, please explain the relevance of credit rating for IOUs to Austin Energy in this Base Rate Review.
- AE1-3: Regarding page 7 of LaConte's testimony:
- a. Please indicate if the current 24 bp spread between 'A' and 'AA' ratings can be relied upon to stay constant (or similar) into the future.
  - b. Is LaConte aware of any other ramifications of Austin Energy's credit rating changing from 'AA' to 'A' other than the cost of debt?
- AE1-4: Regarding page 9 of LaConte's testimony:
- a. Please identify the specific bond covenants that allow for the exclusion of Austin Energy's non-electric revenue, expense, and debt service from the calculation of debt service coverage.
  - b. Please identify any and all credit rating agencies that exclude Austin Energy's non-electric revenue, expense, and debt service from the calculation of debt service coverage.
- AE1-5: Regarding page 4 of Pollock's testimony, please admit Austin Energy's generation assets benefit Austin Energy's customers throughout the year (not just in the summer months). If deny, please explain why Austin Energy's customers did not benefit from Austin Energy's generation during Winter Storm Uri.
- AE1-6: Regarding page 13 of Pollock's testimony, please explain how Exhibit JP-1 accounts for declining residential kWh sales over the past decade.
- AE1-7: Regarding page 23 of Pollock's testimony, please indicate if high prices in the ERCOT energy market, referenced in Mr. Pollock's testimony, are limited to the summer months.