

A. Procedural Guidelines

Austin Energy has issued Procedural Guidelines for this Base Rate Review. The Procedural Guidelines are the rules by which the Base Rate Review will be governed. All participants should review the Procedural Guidelines for important information on how to participate in the Base Rate Review. The Impartial Hearing Examiner looks to the Procedural Guidelines to make rulings and conduct a fair, efficient, and orderly process, including the Preliminary and Final Conferences. Austin Energy's Procedural Guidelines may be found here:

<https://austinenergy.com/ae/rates/2022-base-rate-review/ihe-process/how-to-participate-ihe-process>

B. The Filing System

Austin Energy has created an electronic filing system, whereby participants in the Base Rate Review may file Base Rate Review-related information and requests with the Impartial Hearing Examiner, by emailing the filing to: rate.filings2022@austinenergy.com

The filings, which serve as the official public record of all documents filed with the Impartial Hearing Examiner, are listed at:

https://www.austintexas.gov/cityclerk/postings/ae_2022_base_rate_review.htm

C. Scope of Base Rate Review

The issues to be addressed in the Base Rate Review are set forth in the 2022 Base Rate Filing Package and addressed in the Procedural Guidelines, including Section A in the Procedural Guidelines, entitled "Scope."

D. No *Ex Parte* Communications with the Impartial Hearing Examiner

Ex Parte communications with the Impartial Hearing Examiner are prohibited. *Ex Parte* communications are defined in Section A(3)(b)(1) of the Procedural Guidelines as:

(1) *Ex parte* communications. Unless specifically authorized by law, the Impartial Hearing Examiner cannot communicate, directly or indirectly, about any issue of law or fact related to the Base Rate Review with any Person or Participant, or their Authorized Representatives, unless all

Participants know about and have an opportunity to participate in the communication.

Ex Parte communications are prohibited to ensure that all participants in the Base Rate Review have an opportunity to hear and respond to any substantive information provided to the Impartial Hearings Examiner by any participant in the Base Rate Review.

III. BASE RATE REVIEW SCHEDULE AND NOTICES OF PRELIMINARY AND FINAL CONFERENCES

Austin Energy has set a Procedural Schedule for the Base Rate Review process. All participants should review and abide by the schedule, including attendance at the Settlement Discussion, the Preliminary Conference, and the Final Conference. Note that the settlement Discussion, Preliminary Conference, and Final Conference will all be held at:

**Austin Energy Headquarters
1st Floor
Shudde Fath Conference Room
4815 Mueller Blvd, Austin, Texas 78723**

A. Notice of Settlement Discussion

As set forth in the Procedural Schedule, a Settlement Discussion will take place on **July 11-12, 2022**. The start time of the Settlement Discussion is to be announced. All participants are encouraged to attend the Settlement Conference to possibly resolve some or all of the issues to be addressed in the Base Rate Review.

B. Notice of Preliminary Conference

As set forth in the Procedural Schedule, a Preliminary Conference will take place beginning at **9 a.m. on July 12, 2022**. All participants are strongly encouraged to attend the Preliminary Conference, as the Impartial Hearing Examiner may discuss and make rulings on procedures and substantive matters to ensure a fair, impartial, and efficient Final Conference.

C. Notice of Final Conference

As set forth in the Procedural Schedule, a Final Conference will take place beginning at **9 a.m. on July 13, 2022**, and continue until the completion of the Final Conference on or before July 15, 2022. All participants are strongly encouraged to attend the Final Conference. As defined in Section A(2)(e) in the Procedural Guidelines, the Final Conference is:

The proceeding conducted by the Impartial Hearing Examiner during which Austin Energy and the Participants present their Position Statements and oral remarks regarding the 2022 Austin Energy Base Rate Review for a final recommendation by the Impartial Hearing Examiner to City Council.

IV. ADMITTING PARTICIPANTS

The following have filed requests to participate. Section C(4)(b) of the Procedural Guidelines requires that a response to a motion be filed no more than seven days after the motion is filed. More than seven days have passed since the requests to participate were filed. No response or objection to the requests to participate have been filed. As a result, the requests to participate are GRANTED and the following are added as Participants to this Base Rate Review:

- Coalition for Clean Affordable and Reliable Energy (CCARE); and
- Victor Martinez.



Travis Vickery
Impartial Hearing Examiner

Date: April 28, 2022