

**AUSTIN ENERGY**  
**2022 BASE RATE REVIEW**

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**BEFORE THE CITY OF AUSTIN**  
**IMPARTIAL HEARINGS EXAMINER**

**NXP SEMICONDUCTORS'**  
**FIRST REQUESTS FOR INFORMATION TO AUSTIN ENERGY**

NXP Semiconductors (“NXP”), by and through its attorneys of record, requests that Austin Energy (“Austin Energy” or “AE” or “you”) provide information and answer the attached questions under oath pursuant to Procedural Guidelines Section B.3(a) and Section F. It is further requested that the questions be answered in the order in which they are asked with as much detail so as to fully present all of the relevant facts.

**INSTRUCTIONS AND DEFINITIONS**

Please answer the attached questions on separate pages and copy the question immediately above the answer to each question. Following each answer, please identify the person who prepared the answer and the witness or witnesses who will sponsor each of your answers at the hearing in the above-referenced dockets. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced. These requests are continuing in nature and, should there be a change in circumstances which would modify or change any of your answers, then, in such case, please immediately change or modify each answer and submit such changed answer as a supplement to the original answer pursuant to Procedural Guidelines Section B.3(a) and Section F.

In answering this request for information, you are requested to furnish such information as is available to you, including information which you are able to obtain by due diligence from your present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on your behalf.

If you are unable to answer any request fully and completely after exercising the due diligence to make inquiry and to secure information, you are to answer such request as fully and completely as you can and to specify the portions which you are unable to answer in such request. In addition to specifying those portions, you are to state with regard to each portion:

1. The fact on which you base the contention that you are unable to answer that portion;
2. The knowledge, information, and belief you have concerning that portion; and

3. The acts done and inquiries made by you in attempting to answer such request.

The singular includes the plural and the plural includes the singular.

Masculine, feminine, or neuter pronouns do not exclude the other genders.

The words “document” and “documents” have the broadest meaning that can be ascribed to them pursuant to the Texas Rules of Civil Procedure. Among other things, the words “document” and “documents” mean the final form and all drafts and revisions of any kind of written or graphic mater, original or reproduced copy, however produced or reproduced, of any kind and of every kind, and all copies there from which are different in any way from the original regardless of whether designated “confidential,” “privileged,” or otherwise restricted. Without limiting the generality of the foregoing, the words “document” and “documents” also include information stored or maintained on, or which could be reproduced from, film, microfilm, computer printout, disk or diskette, magnetic tape, cassette, phonographic disc, videotape or similar means.

“Concerning” means constituting, arising out of, incident to, referring to, mentioning, bearing upon, reflecting, evidencing, affecting, concerning or relating in any manner to the transaction, communication, document, individual, entry, act, object, conference, activity or thing identified.

The words “and” and “or” shall be construed conjunctively or disjunctively as necessary to bring within each request all documents which might otherwise be construed as outside its scope.

The words “communication” and “communications” include, without limitation of their generality, both written and oral: statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia. These words include, without limitation of their generality, both communications and statements which are face-to-face and those which are transmitted by any writing or document or by media such as intercoms, telephones, email, television or radio.

The words “identify” and “identification,” when used with respect to a natural person or persons, mean to state the name, address(es) and telephone number(s) of each such person. If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “identification,” when used in reference to a person other than a natural person, mean to set forth its:

- (1) full name or title;
- (2) nature or organization, including the state under which the same was organized or incorporated;
- (3) address and telephone number (with area code prefix); and
- (4) principal line of business.

If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “describe,” when used in reference to a fact, mean to state not only the fact itself, but also:

- (1) its date, time and place
- (2) the name, address and telephone number of each person with knowledge of the fact;
- (3) whether the act is supported by an oral communication, a document, or other event; and
- (4) any other evidence which supports such fact.

The words “identify” and “identification,” when used in reference to a document, mean to state:

- (1) its date;
- (2) its author;
- (3) its addressee;
- (4) the type of document (e.g., letter, memorandum, receipt, invoice, schedule, report, telegram, chart, photograph, etc.); and
- (5) its present location and identity of its custodian. If any document was, but is no longer, in your possession, custody, or control, or is no longer in existence, explain why.

If any of the foregoing information is not available, state any other available means of identifying such document. If a document is one of a series of pages contained in a book, pamphlet, binder, folder, microfilm (or other storage device), include in your identification of such document(s) any available numerical reference (or other aid) to the pages and line or other portion thereof at which the information referred to can be found. A true and correct copy of any document may be produced and filed with your Answers hereto in lieu of the above information.

The words “identify” and “describe,” when used with respect to an oral communication mean:

- (1) to state the substance of each such oral communication;
- (2) to state the exact words used by each person participating in the oral communication;
- (3) to identify each speaker;
- (4) to identify each person present at the making or reception of such oral communication;
- (5) to specify the date, time and place of each oral communication;
- (6) to identify each person repeating such oral communication;
- (7) to identify every document which records, memorializes, or relates to all or part of such communication; and
- (8) to identify the mode of such communication (e.g., telephone, face-to-face, etc.)

The words “person” and “persons” as used herein, mean all individuals and entities, and shall be deemed to include natural persons, firms, partnerships, associations, organizations, joint ventures, corporations, and any other entities, including without limitation, any electric utility, cogenerator, independent power producer, qualifying facility, or any other entity which generates electricity.

The words “regarding,” “relate,” “related,” “relates” and “relating,” as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

The words “Austin Energy,” “AE,” “you,” and “your” means Austin Energy and any person acting or purporting to act on Austin Energy’s behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

If you have any question concerning the attached requests or any of these instructions, please contact the undersigned.

If the information requested may be derived from publicly available sources, your response may simply provide the location or means of obtaining the information. If you have already produced any requested information in this case, please list the request in which the information was provided, or contact the undersigned to discuss whether it may be possible to withdraw the request.

If any document is withheld under any claims of privilege, please furnish a list identifying each document for which a privilege is claimed together with the following information: date, sender, recipients, subject matter of the document, and the basis upon which privilege is claimed.

Respectfully submitted,

By: /s/ J. Christopher Hughes

J. Christopher Hughes

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**ATTORNEYS FOR NXP SEMICONDUCTORS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document was served on all parties of record in this proceeding, in accordance with Austin Energy Instructions, on the 17th day of May, 2022.

/s/ J. Christopher Hughes

J. Christopher Hughes

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- NXP 1-1 Please list and describe all differences in classification, functionalization and allocation methodologies and calculations in the proposed class cost of service study (“COSS”) model and the COSS proposed in AE’s prior rate case.
- NXP 1-2 For each month from September 2015 to date, provide the total energy generated and sold in the ERCOT market and the energy supplied at the time of AE’s system peak for each AE generating unit.
- NXP 1-3 For each month from September 2015 to date, provide the total monthly energy supplied for retail customer load, and the energy supplied at the time of AE’s system peak from each energy source, e.g., bilateral agreements, the day-ahead ERCOT market, distributed energy resources, etc.
- NXP 1-4 For each account receiving service under the Primary Voltage Greater Than 20 MW @ 85% Load Factor rate schedule, please provide a one-line diagram of the facilities at the point of delivery (“POD”) and a map showing the facilities in the POD area, including the feeder lines from substations to the POD.
- NXP 1-5 For each month from September 2015 to date, please provide AE’s demand for its retail load at the date and time of ERCOT’s monthly peak.
- NXP 1-6 Please provide a copy of the three most recent generation/power supply planning studies prepared by or for AE.
- NXP 1-7 Refer to page 60 of AE’s Base Rate Filing Package. Please identify each of the Production- Demand cost allocation methods that AE has reviewed in the past. For each method reviewed, describe all shortfalls AE identified with the method.
- NXP 1-8 Refer to page 60 of AE’s Rate Filing Package. Please list and describe each “rationale” for AE’s generation capacity. If the rationale is different than the factors described in footnote 32 on page 48, please explain and support the differences.
- NXP 1-9 Refer to page 60 of AE’s Rate Filing Package. The first paragraph in Section 5.4.1 states that allocation of demand-related costs seeks “to assign costs to each class in alignment with the way costs are incurred by the utility” for the function, e.g., the

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production demand-related costs. Please explain the way production demand-related costs are incurred by AE.

- NXP 1-10 Refer to page 51 of AE’s Base Rate Filing Package. Please provide a copy of all studies, reports, analyses, data, and other documents or computer files that indicate when the ERCOT wholesale market historically experiences “high price spikes.”
- NXP 1-11 Please provide a copy of AE’s approved budget for FY 2022. In addition, provide any revisions or amendments to the approved budget.
- NXP 1-12 Please provide AE’s system load factor for the adjusted test year, including the workpaper that calculates the load factor.
- NXP 1-13 Please refer to page 60 of AE’s Base Rate Filing Package. For the other Production-Demand cost allocation methods reviewed, identify the methods that AE considers acceptable for allocating AE’s production facilities costs although less acceptable to AE than the ERCOT 12 CP methodology.
- NXP 1-14 Table 5-F of AE’s Base Rate Filing Package indicates that production demand-related costs are allocated to the four lighting customer classes. Please explain how the monthly ERCOT CP demands were developed for these classes.
- NXP 1-15 Refer to page 475 of the Appendices to the Base Rate Filing Package. The table on that page states that the Transmission Voltage rates shown is “the default rate option under this schedule.” Please list and describe all other rate options available to customers receiving Transmission Voltage service.