

NOTICE OF PROCEDURAL GUIDELINES SECTION C(2) RULING

Austin Energy files this Notice of Procedural Guidelines Section C(2) Ruling in response to the following Requests for Information (“RFIs”)¹:

- Sierra Club and Public Citizen (“SCPC”) 2-3
- NXP Semiconductors (“NXP”) 3-12
- Texas Industrial Energy Consumers (“TIEC”) 4-5
- TIEC 4-7(b)

Pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines § C(2)(a), no confidential materials should be involved in any filings. Austin Energy relied on information in compiling its Rate Filing Package that includes competitive matters under Texas Government Code Section 552.133 and/or critical infrastructure matters under Texas Government Code Section 418.18 and cannot be provided to the public. Further, pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines § C(2)(b), no personally identifiable information, including but not limited to social security numbers, driver’s license numbers, account numbers, account usage data, or any other data that might compromise a person’s privacy, should be included in any filings. Pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines § G(1)(a), the Impartial Hearing Examiner does not have the authority to issue protective orders.

The City of Austin Law Department has reviewed the RFIs listed above and determined that responsive Austin Energy information is considered either confidential competitive information, confidential critical infrastructure information, or confidential customer information which Austin Energy cannot legally disclose.

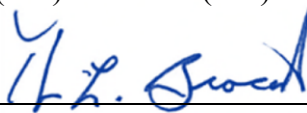
Any party seeking further relief may submit a formal Texas Public Information Act request to Austin Energy at public.information@austintexas.gov. Austin Energy will then seek a ruling from the Texas Attorney General. Please see the [City of Austin’s Public Records Center](#) for more information about how to make a Public Information Act request.

¹ See Appendix A.

Respectfully submitted,

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**ATTORNEYS FOR THE CITY OF AUSTIN
D/B/A AUSTIN ENERGY**

Appendix A – RFI Requests

- SCPC 2-3: Please produce all analyses or assessments conducted since 2018, of the economics of continued operation of the Fayette power plant—i.e., all retirement or alternatives studies or unit disposition analyses., Please provide including all underlying modeling files or workbooks—conducted by or for Austin Energy, including, but not limited to, any studies conducted to determine how to comply with any current or impending environmental regulations. Please provide all such workpapers in their native electronic format with formulas intact.
- NXP 3-12: Please provide a copy of AE’s most recent long-term distribution system plan.
- TIEC 4-5: Provide a copy of Austin Energy’s most recent short/long-term electricity sales and peak load forecast.
- TIEC 4-7: Provide a schedule showing the hourly loads during the test-year for each of the following customer classes/subgroups:
- b. Primary Voltage ≥ 3 MW < 20 MW loads directly served from a distribution substation.