

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

Austin Energy files this Objection to Texas Industrial Energy Consumers' ("TIEC") Fourth Request for Information ("RFI"), and respectfully shows as follows:

**I.     PROCEDURAL HISTORY**

TIEC served its Fourth RFI to Austin Energy on May 27, 2022. Pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines § F(2)(g), this objection is timely filed.

Counsel for Austin Energy and TIEC conducted good faith negotiations that failed to resolve the issues. While Austin Energy will continue to negotiate with TIEC regarding this and any future objections, Austin Energy files this objection for preservation of its legal rights under the established procedures. To the extent any agreement is subsequently reached, Austin Energy will withdraw such objection.

**II.    GENERAL OBJECTIONS**

Austin Energy generally objects to these RFIs to the extent they are irrelevant.

**III.   SPECIFIC OBJECTION**

TIEC 4-5:     Provide a copy of Austin Energy's most recent short/long-term electricity sales and peak load forecast.

**Objection:**

Austin Energy objects to this Request to the extent it requests Austin Energy's most recent short/long-term electricity sales and peak load forecast. The Request seeks information that is neither relevant to the issues presented in this matter nor is reasonably calculated to lead to the discovery of admissible evidence. Pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines § F(1)(a), "[d]iscovery is limited to relevant information that is not unduly prejudicial. In other words, Participants can ask for information related to the Rate Filing Package." As indicated in Austin Energy's Base Rate Filing Package, Austin Energy is proposing changes to its base electric rates based on a 2021 Test Year in this proceeding. Austin Energy's base rates as proposed in its 2022 Base Rate Filing Package were developed to reflect an embedded cost of service analysis based on a 2021 Test Year. Therefore, Austin Energy's most recent short/long-term electricity sales and peak load forecast have no relevance to the 2022 Base Rate Review. Thus, this request seeks information outside the scope of this proceeding.

TIEC 4-10: Provide a schedule showing each of the following metrics for Austin Energy over the past five years and projected for the next five years:

- a) Debt service coverage ratio.
- b) City transfer.
- c) The amount of cash available to fund construction.

Objection:

Austin Energy objects to this Request to the extent it requests a schedule showing Austin Energy's debt service coverage ratio, city transfer, and the amount of cash available to fund construction projected for the next five years. The Request seeks information that is neither relevant to the issues presented in this matter nor is reasonably calculated to lead to the discovery of admissible evidence. Pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines § F(1)(a), "[d]iscovery is limited to relevant information that is not unduly prejudicial. In other words, Participants can ask for information related to the Rate Filing Package." As indicated in Austin Energy's Base Rate Filing Package, Austin Energy is proposing changes to its base electric rates based on a 2021 Test Year in this proceeding. Austin Energy's base rates as proposed in its 2022 Base Rate Filing Package were developed to reflect an embedded cost of service analysis based on a 2021 Test Year. Therefore, projections for the next five years of Austin Energy's debt service coverage ratio, city transfer, and the amount of cash available to fund construction have no relevance to the 2022 Base Rate Review. Thus, this request seeks information outside the scope of this proceeding.

**IV. PRAYER**

WHEREFORE, PREMISES CONSIDERED, Austin Energy requests this objection be sustained. Austin Energy also requests any other relief to which it may show itself justly entitled.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &  
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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 6, 2022, in accordance with the 2022 Austin Energy Base Rate Review Procedural Guidelines.

  
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THOMAS L. BROCATO