AUSTIN ENERGY	**§**	**BEFORE THE CITY OF AUSTIN**
	§	
2022 BASE RATE REVIEW	**§**	**IMPARTIAL HEARINGS EXAMINER**

NXP SEMICONDUCTORS'
FIFTH 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
State Bar No. 00792594
Chris Reeder
State Bar No. 16692300
Alaina Zermeno
State Bar No. 24098656
Caidi Davis
State Bar No. 24121557
chris.hughes@huschblackwell.com
chris.reeder@huschblackwell.com
alaina.zermeno@huschblackwell.com
caidi.davis@huschblackwell.com
HUSCH BLACKWELL, LLP
111 Congress Avenue, Suite 1400
Austin, Texas 78701
Phone: (512) 472-5456
Fax: (512) 481-1101

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 7th day of June, 2022.

/s/ J. Christopher Hughes
J. Christopher Hughes

NXP SEMICONDUCTORS'
FIFTH REQUEST FOR INFORMATION
TO AUSTIN ENERGY

NXP 5-1 Referencing the comments provided in Section 4.2.6, page 34 "General Fund Transfer", please provide the average franchise fee rates and property tax rates charged by the COA to IOUs operating within the Austin City limits i.e. Oncore and Texas Gas.

NXP 5-2 Referencing the comments provided in Section 4.2.6, page 34 "General Fund Transfer", provide a breakdown of the investments (description and cost) the COA made back into the local Community over the last three years using the General Fund Transfer amounts provided by AE.

NXP 5-3 Referring to Schedule C-3 what are the total amounts, interest rates and the purpose of the Strategic Reserve Fund and the Build America Bond Fund?

NXP 5-4 Referring to Schedule WP B-6, Plant Held for Future Use (PHFU), for each PHFU item on WP B-6 please indicate the date each investment was made a definitive plan for use of these assets and their benefit to rate payers.

NXP 5-5 Referring to WP E-5.1 please identify or provide pole rental revenues received by AE during the test year and indicate whether they are reflected in the rate filing.

NXP 5-6 Regarding WP C 3.6, please provide a breakdown, a derivation and explanation of the "Annual Contribution to the Non-Nuclear Decommissioning Reserve".