

**AUSTIN ENERGY'S OBJECTION TO PAUL ROBBINS'
THIRD REQUEST FOR INFORMATION**

Austin Energy files this Objection to Paul Robbins' ("P. Robbins") Third Request for Information ("RFI"), and respectfully shows as follows:

I. PROCEDURAL HISTORY

P. Robbins served his Second RFI to Austin Energy on June 8, 2022.¹ Pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines § F(2)(g), this objection is timely filed.

Counsel for Austin Energy and P. Robbins conducted good faith negotiations that failed to resolve the issues. While Austin Energy will continue to negotiate with P. Robbins 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 this RFI because it seeks information that is irrelevant to this proceeding.

III. SPECIFIC OBJECTION

P. Robbins 3-4: Provide the amount and percentage of CAP administrative funding that comes from other City departments (e.g., Water, Watershed Protection).

Objection:

Austin Energy objects to this Request because it 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." Pursuant to the 2022 Austin Energy Base Rate Review Procedural Guidelines

¹ Paul Robbins' Third Request for Information was submitted to the Rate Review Administrator after 12:00 pm on June 7, 2022, so it is considered submitted the following business day, on June 8, 2022.

§ A(1)(e), the scope of the 2022 Austin Energy Base Rate Review is limited to reviewing Austin Energy's base rates. Issues related to Austin Energy's rates or costs that are not in base rates are beyond the scope of the 2022 Austin Energy Base Rate Review. Costs related to the Customer Assistance Program ("CAP") are beyond the scope of the 2022 Austin Energy Base Rate Review. Further, this Request seeks information about other City of Austin departments that are not within Austin Energy's control and are not related to the 2022 Austin Energy Base Rate Review. The amount and percentage of CAP administrative funding that comes from other City departments has 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,

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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 21, 2022, in accordance with the 2022 Austin Energy Base Rate Review Procedural Guidelines.



THOMAS L. BROCATO