
From: Paul Robbins <paul_robbins@greenbuilder.com>
Sent: Thursday, June 23, 2022 9:24 AM
To: Rate Fillings 2022
Cc: Alaina Zermenio (alaina.zermenio@huschblackwell.com); Alise Porto; Andy Perny (andy.perny@austintexas.gov); Anthony Gausepohl (a.gausepohl@samsung.com); Ashley Fisher; Benjamin B. Hallmark (bhallmark@omm.com); Cathy Works (cathy.works@ni.com); Chris Reeder (chris.reeder@huschblackwell.com); Christopher Hughes (chris.hughes@huschblackwell.com); Clarence Johnson (cjenergyconsult@att.net); Dru Spiller (dru.spiller@sierraclub.org); Ed Latson (ed@arma-tx.org); Eric Goff (eric@ericwintersgoff.com); Hanna Mitchell (hmitchell@solarunitedneighbors.org); Hayden Baggett (hbaggett@3pointpartners.com); John Coffman; John Hubbard (jhubbard@omm.com); Joshua Smith (joshua.smith@sierraclub.org); Katie Coleman (kcoleman@omm.com); Lanetta Cooper - Texas Ratepayers' Organization to Save Energy (cooperlmcooper@outlook.com); Lynnel Reyes (lreyes@switch.com); Maria Faconti (maria.faconti@huschblackwell.com); Matthew E. Miller (matthew.miller@sierraclub.org); OMM E-Service (ommeservice@omm.com); Paul Robbins (paul_robbins@greenbuilder.com); Roger Borgelt (roger@borgeltlaw.com); Stacie Bennett (slbennett@balch.com); Taylor Denison; Thomas Brocato; Todd F. Kimbrough - Balch & Bingham (tkimbrough@balch.com); Trey Salinas (tsalinas@3pointpartners.com); Victor Martinez (pistorin@gmail.com); Patricia Martinez
Subject: Robbins Motion to Compel Responses to RFI 3-4

Robbins' Motion to Compel Response to Robbins 3-4

To the Impartial Hearings Examiner,

In response to Austin Energy's **Austin Energy's Objection to P. Robbins Third Request for Information** sent on June 21, 2022, I am filing this motion to compel regarding a discovery question in this RFI.

On June 8, 2022, I filed a question in my Third Request, which read:

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

Austin Energy has refused to respond, arguing that the question is outside the scope of the rate case.

I disagree because Austin Energy funding for CAP is financed through the rate base and not a pass-through charge. Any money spent imprudently by Austin Energy in the administration of this program should be applied proportionally to a deduction in administrative cost that should be reimbursed to the ratepayers by the utility.

The utility has in fact provided me with the administrative cost for this program, but since the program is jointly funded by the electric, water, and drainage utilities, I require the percentage of each utility's participation to accurately assess the potential imprudence for which Austin Energy is responsible.

I also offer two corrections to Austin Energy's Objection.

1) The utility referred to my RFI as "Second RFI." It is, in fact, the Third.

2) The utility stated: *Counsel for Austin Energy and P. Robbins conducted good faith negotiations that failed to resolve the issues.*

I was never contacted by the utility via phone, e-mail, or mailed letter, in an effort to resolve this disagreement.

Wherefore I respectfully request Austin Energy be directed to respond to this discovery question as soon as possible.

Sincerely,



Paul Robbins

Submitted June 23, 2022

Service has been served on all parties of record on the above date.