

ORDER NO. 6

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6. Any other matters that will facilitate a complete, fair, and efficient Final Conference.

Regarding Exhibits:

- The IHE requests that the parties provide electronic copies of all exhibits.² Austin Energy may prefer exhibits be filed on the Austin Energy website. *If so, the IHE requests that Austin Energy inform Participants that electronic copies of exhibits may be filed.* If not, exhibits may be emailed to the IHE at the following email address:
austinenergy@mcginnislaw.com
- For parties represented by counsel, the IHE requires two hard copies of exhibits. Parties not represented by counsel may also provide two hard copies of exhibits but are not required to do so. The IHE requests that all hard copy exhibits be brought to the Preliminary Conference.
- If possible, exhibits should be page numbered. Page one of each hard copy exhibit should state the Participant's name and the exhibit number. For electronic exhibits, the name of the document should include the Participant's name and exhibit number.

No Ex Parte Communications:

The Parties are reminded that *Ex Parte* communications with the IHE or anyone on the IHE's team are prohibited. *Ex Parte* communications are defined in Section A(3)(b)(1) of the Procedural Guidelines.

² Austin Energy contacted the IHE's office to request guidance on exhibits.

III. Briefing and Briefing Outline

The IHE requests that Austin Energy and the Participants develop a general unified briefing outline by the end of the Final Conference.³ In developing the briefing outline, the parties should be guided by the Procedural Guidelines, Section H, the issues addressed in the rate filing package, and certain issues presented by Participants. All parties are to submit briefing in accordance with the outline. Specifically, the IHE requires that the parties identify each issue they address in their briefs and in the order in which the issues appear in the outline. With the exception of Austin Energy, the parties need only address issues they contest. This matter may be addressed at the Preliminary Conference and Final Conference.

The IHE considers Austin Energy's briefing page limit to apply only to addressing contested issues. Under the Procedural Guidelines Section H, the IHE is required to provide a recommendation on all issues in this Base Rate Review, including uncontested issues, and address the Austin City Council's public policy framework, ordinances, resolutions, rules, opinions, and laws. As a result, the IHE requires that Austin Energy address these matters – some of which are uncontested – in its briefing.

The parties should file their briefing on the Austin Energy website. However, the IHE also requires those parties represented by counsel to submit their briefing in Word or native format to the IHE. Unrepresented parties are welcome, but not required, to do the same. Word and native format briefing may be emailed to the following email address:

austinenergy@mcginnislaw.com

The IHE also requests that, where appropriate, the parties' briefing cite to policy, rules, law, and Public Utility Commission of Texas docket numbers.

³ The IHE acknowledges that the parties are busy preparing for the hearing in this matter. To the extent possible, the IHE will assist the parties in developing an agreed outline.

Finally, the IHE notifies the parties that the potential conflict with the dates proposed in the Joint Motion, as identified in Order No. 3, has been resolved.



Travis Vickery
Impartial Hearing Examiner

Date: July 8, 2022