# AUSTIN ENERGY§BEFORE THE CITY OF AUSTIN2022 BASE RATE REVIEW§IMPARTIAL HEARING EXAMINER

## ORDER NO. 7

## ADDRESSING BRIEFING AND RULING ON PAUL ROBBINS' MOTION TO COMPEL

This Order No. 7 is issued by the Impartial Hearing Examiner (IHE) in the 2022 Base Rate Review Process (Base Rate Review) of the Base Rate Filing Package of the City of Austin's (City) municipally owned electric utility, Austin Energy (Austin Energy).

### I. Addressing Briefing

At the Final Conference the parties agreed to the following deadlines regarding the briefing schedule, page limits, and the due date for the IHE's Report:

•	Participant's Briefs	July 26, 2022 at 5 p.m.
	o 45 pages	
•	Austin Energy's Brief	August 5, 2022 at 5 p.m.
	o 80 pages	
•	IHE Report	September 7, 2022

In addition to the requirements of Order No. 6, the IHE requests that, where appropriate, the parties' briefs cite to policy, rules, law, and Public Utility Commission of Texas dockets.

Parties shall adhere to the briefing outline presented by Austin Energy at the Final Conference. Any issue raised by a Participant that is not identified in the briefing outline should be at the end of the issues the Participant addresses under the briefing outline and the subject matter of the issue should be stated in a heading for that portion of the brief. Page limits do not include demonstratives or attachments. Word versions of the briefs and native versions of attachments may be emailed to the IHE at: <a href="mailto:austinenergy@mcginnislaw.com">austinenergy@mcginnislaw.com</a>

#### **II.** Ruling on Paul Robbins Special Motion to Compel<sup>1</sup>

On July 11, 2022, Paul Robbins filed a Special Motion by Paul Robbins to Compel Austin Energy to Produce Evidence Related to Customer Assistance Program (Motion). The Motion seeks certain confidential information from Austin Energy. On July 18, 2022, Austin Energy filed a response to the Motion. For the reasons set forth in Austin Energy's response, the IHE denies the Motion. In addition, as stated at the Final Conference, under Procedural Guideline G.1(a) the IHE lacks the authority to issue protective orders for the review of confidential information.

Travis Vickery Impartial Hearing Examiner

Date: July 18, 2022

<sup>&</sup>lt;sup>1</sup> The IHE does not reiterate arguments stated in Mr. Robbins' motion or Austin Energy's response. The IHE's ruling is based on and incorporates the arguments of Austin Energy as if set out herein.