



Control Number: 23320



Item Number: 365

Addendum StartPage: 0

PUC DOCKET NO. 23320

**PETITION OF THE ELECTRIC
RELIABILITY COUNCIL OF TEXAS
FOR APPROVAL OF THE ERCOT
ADMINISTRATIVE FEE**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ERCOT'S FIRST REQUEST FOR INFORMATION
TO DYNEGY, INC.**

Pursuant to the provisions of §§ 22.141 and 22.144 of the Procedural Rules of the Public Utility Commission of Texas, ERCOT requests that Dynegy, Inc. ("Intervenor") provide all the information requested on the attached Exhibit "A" within 20 days of receipt thereof pursuant to the Commission Procedural Rules. It is further requested that the answers be made under oath unless the responding parties stipulate in writing that responses to these responses for information can be treated by all parties as if answered under oath, as provided in P.U.C. Subst. R. 22.144, and that each item of information be made available as it is completed, rather than upon compilation of all information requested. The definitions and explanations set forth in Exhibit "B" shall apply to this request for information.

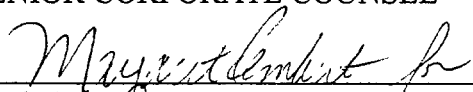
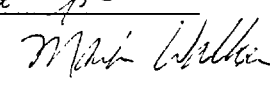
Please copy the question immediately above the answer to each. Each answer should identify the person responsible for preparing that answer (other than the purely clerical aspects of its preparation), and the name of the witness in this proceeding who will sponsor the answer, and who can vouch for its accuracy. In producing documents pursuant to this Request, 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 that would modify or change an answer supplied by you, such changed

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answer should be submitted immediately as a supplement to your original answer. All information requested on the attached Exhibit "A" should be sent to counsel for ERCOT, Mark A. Walker, Senior Corporate Counsel, ERCOT, 7620 Metro Center Drive, Austin, Texas, 78744, (512) 225-7076.

Respectfully Submitted,

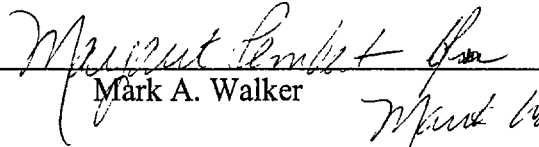
Mark A. Walker
SENIOR CORPORATE COUNSEL

By: 
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CERTIFICATE OF SERVICE

I, Mark A. Walker, attorney for ERCOT, certify that a copy of this document was served on all parties of record in this proceeding on May 10, 2002 in the following manner: by facsimile or first class, U.S. Mail, postage prepaid.



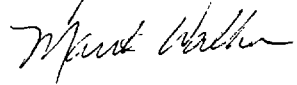
Mark A. Walker 

EXHIBIT "A"

Requests for Information

1. Identify each individual who may provide testimony for Intervenor in this proceeding. List separately those individuals who may be fact witnesses and those who may be expert witnesses.
2. Identify each consulting expert whose opinions, conclusions, and/or theories have been reviewed by an expert who may testify on Intervenor's behalf.
3. Separately for each individual identified in your answers to Request Nos. 1 and 2, provide fully and with particularity:
 - a. the subject matters on which he has been consulted (if he or she is a consulting expert) or about which he may testify (if he or she is a fact witness or testifying expert);
 - b. a summary of the mental impressions and opinions held by him or her concerning this proceeding;
 - c. a summary of the facts that relate to or form the bases of his mental impressions and opinions concerning this action; and
 - d. since January 1, 1998, a list of each case/docket in which testimony was filed by the witness and the subject matter of that testimony.
4. Please identify all experts who may be called as witnesses in this case, or whose opinion impressions, either in whole or in part, have been reviewed by an expert who may be called as a witness and, with respect to each such expert, identify the following:
 - a. the subject matter upon which the witness is expected to testify, including the expert's impressions and opinions;
 - b. all facts known to the expert which relate to or form the basis of the expert's mental impressions or opinions; and
 - c. all documents, communications, and/or tangible things used by, prepared by, prepared for, or furnished to the expert in anticipation of the expert's trial, deposition, or consulting testimony, including all tests, examinations, and calculations done by the expert, whether or not such tests, calculations, or examinations form the basis of the expert's opinion.
5. At the time testimony is filed, for each testifying witness, please provide the studies, workpapers, and other supporting documents for any quantitative studies

ERCOT'S FIRST REQUEST FOR INFORMATION TO DYNEGY, INC.

developed in the course of forming the positions and conclusions put forth in the testimony offered by Intervenor.

6. For any assertion of fact(s) made in any filed testimony, please provide at the time of filing the testimony any and all source material(s), which substantiate this (these) fact(s).
7. For each person Intervenor has retained in this proceeding, other than counsel, please provide a detailed chronological history of the person's:
 - a. employment, identifying the employer, the dates of employment and duties; and
 - b. other experience (other than preparing or providing testimony) upon which the person will rely in establishing his or her expertise in the subject matter areas covered by the person's testimony.
8. Identify each document withheld from production by Intervenor in response to these requests under a claim of privilege, and state the privilege claimed.
9. Please provide all documents that memorialize or otherwise concern the communication referred to in Request No. 8. If any such documents have been destroyed, please identify the following:
 - a. the date(s) that such documents were destroyed;
 - b. the person who physically destroyed the documents; and
 - c. the reasons that such documents were destroyed.
10. Please describe in detail, the legal theories, and in general, the factual bases of Intervenor's claims in the proceeding.
11. Please describe in detail Intervenor's functions, activities, and operations.
12. Please state whether Intervenor publishes a newsletter or other periodic informational document. If so, please state:
 - (a) the cost per issue of creating and printing this document for 2000, 2001, and 2002 (for 2002, please include actual expenses to date and the annual budgeted amount),
 - (b) the number of copies printed for each issue, and
 - (c) the number of issues of this document per year.
13. Please state the amount for each employee that Intervenor has budgeted for employee expenses annually (including training, travel, professional dues, and entertainment) for 2000, 2001, and 2002. Please provide a list of all employee

recruitment and relocation expenses for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount.

14. Please state the number of employees employed by Intervenor for 2000, 2001, and 2002.
15. Please identify and describe all expenses associated with each event sponsored or supported by Intervenor and attended by employees of Intervenor for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount. For each event, please also state the number of persons in attendance.
16. Please identify and describe all expenses and budgeted amounts of Intervenor associated with corporate sponsorships, charitable giving, community organizations, municipal associations, professional associations, trade associations, and other community and professional activities for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount.
17. Please state the amount of Intervenor's budget spent on promotional items (including items with Intervenor's name or logo given to employees or others) for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount.
18. Please provide a list of and include all expenses associated with items and benefits given to employees beyond the scope of core employee benefits (including free or reduced cost merchandise and fringe benefits) for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount.
19. Please provide the amount of expenditures of Intervenor for radio, television, and other media communications (including public service announcements, press releases, and advertising) for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount.
20. Please provide the amount of expenditures for all Intervenor purchased print communications (including public service announcements and advertising, excepting job advertising) for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount.
21. Please provide Intervenor's total expenses for 2000, 2001, and 2002. For 2002, please include actual expenses to date and the annual budgeted amount.

EXHIBIT "B"

Definitions

As used in the Request for Information, the terms listed below have the following meanings:

1. The terms "**concern**" or "**concerning**" include referring to, alluding to, responding to, relating, connected with, commenting on, in respect of, about, regarding, discussing, showing, recording, describing, mentioning, reflecting, analyzing, constituting, evidencing, or pertaining to.
2. The terms "**document**" and "**documents**" are used in their broadest sense and include, among other things, all written, printed, typed, recorded or graphic matter of every kind and description, including drafts, originals and copies, and all attachments and appendices thereto. Without limiting the foregoing, the terms "**document**" and "**documents**": shall include all agreements, contracts, communications, correspondence, letters, telegrams, facsimiles, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other recordings of meetings and conferences, summaries or other records of negotiations, other summaries diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants' reports appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilations from which information can be obtained (including matter used in data processing) and other printed, written, handwritten, type-written, recorded, stenographic, computer-generated, computer-stored or electronically-stored matter, however, and by whomever produced, prepared, reproduced, disseminated or made. If any of the documents provided pursuant to these requests is in machine-readable form (such as punch cards, paper or magnetic tapes, drums, diskette or core storage), for each such document state the type of computer and software program(s) or other machinery or equipment required to read the information.
3. The term "**ERCOT**" means Electric Reliability Council of Texas.
4. a. The term "**identify**" when used with a natural person means to supply a full name, business address and business telephone number or, if the above information is unavailable, some other means of identifying the person and his present location. The identification must also include a job title and name of employer.

- b. The term “**identify**” when used with a person (as defined below) other than a natural person means to provide its name, its nature (e.g., corporation, partnership, etc.), its street and mailing addresses, and its telephone number.
- c. The word “**identify**” when used with a document means to provide the following:
- (i) the full name and address of the author(s) by whom the document was written, prepared, recorded or made;
 - (ii) the date the document was prepared;
 - (iii) the title and “re” of the document;
 - (iv) the subject matter of the document;
 - (v) the full name and address of the recipient and every person who received copies of the document;
 - (vi) the full name and address of the person who has possession, custody or control of the document, or who is in charge of maintaining the document; and
 - (vii) if the document has been lost, shredded or destroyed (whether intentionally or unintentionally), an explanation of the reasons for the cause of such loss, shredding or destruction.
- d. The term “**identify**” when used with any other thing or matter means to provide as detailed a description as is necessary to permit ERCOT to identify it and to determine its present location.
5. The terms “**person**” and “**persons**” refer to and include natural persons, corporations, partnerships, proprietorships, joint ventures, unincorporated associations, trusts, estates, governments (and agencies thereof), municipalities, quasi-public entities and all other forms of specifically identifiable legal entities.
6. The term “**testifying witness**” refers to and includes any person that Intervenor may call as a witness at a hearing in this proceeding and any person who may provide written testimony for Intervenor in this proceeding.