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Addendum StartPage: 0

SOAH DOCKET NO. 473-84-3554
PUC DOCKET NO. 28813

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PETITION TO INQUIRE INTO THE
REASONABLENESS OF THE RATES
AND SERVICES OF CAP ROCK
ENERGY CORPORATION

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

PUBLIC UTILITY COMMISSION
FILING CLERK

**PIONEER NATURAL RESOURCES, USA, INC.'s
FOURTEENTH REQUESTS FOR INFORMATION FROM
CAP ROCK ENERGY CORPORATION**

Pioneer Natural Resources, USA, Inc. ("Pioneer"), by and through its attorney of record, hereby files these requests for information from Cap Rock Energy Corporation ("Cap Rock" or "Company"). Exhibit A attached hereto is incorporated herein for all purposes. Pioneer requests that Cap Rock provide the information and answers requested in Exhibit A within twenty (25) days of service hereof, or no later than June 1, 2004, in conformance with the requirements of PUC Procedural Rule 22.144(c) and the examiner's order(s).

All information responsive to the requests in the attached Exhibit A should be sent to the following persons on a piecemeal basis as individual items become available:

James Z. Brazell
Law Offices of George C. Neale
1601 Rio Grande Street, Suite 335
P.O. Box 1945
Austin, Texas 78767
(512) 477-1976
(512) 477-1907 FAX

In preparing and submitting its responses, Cap Rock should observe the following definitions and instructions:

Definitions

You. "You," "yours," and "your" refer to Cap Rock (as defined above), including its directors, officers, employees, consultants, agents, attorneys advisors, investigators, representatives, or other persons.

Cap Rock. “Cap Rock,” the “Company,” and “Applicant” refer to Cap Rock Energy Corporation and any person acting or purporting to act on their behalf, including without limitation, directors, officers, employees, consultants, agents, attorneys, advisors, investigators, representatives, or other persons.

NewCorp. “NewCorp” refers to NewCorp Resources Electric Cooperative, Inc.

Document. “Document” and “documents” mean any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tapes, electronic facsimile, computer storage device, film or any other media.

The terms are used in their broadest sense to include all written or graphic matter of every kind and description whether final or draft, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include, but are not limited to, writings, memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, studies, surveys, statistical compilations, reports, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, calendars, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports and summaries of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form.

The terms include tapes, computer disks, data on computer drives, e-mail, cards, recordings, licenses, diaries, invoices, accounts, journals, books, ledgers, publications, film, microfilm, microfiche and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form.

The terms shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.

Communication. The term “communication” includes all verbal and written communications (including written records of verbal communications) of every kind, including but not limited to, telephone calls, conferences, letters and all memoranda or other documents concerning the requested item. Where communications are not in writing, provide copies of all memoranda and documents and describe in full the substance of the communication to the extent that substance is not reflected in the memoranda and documents provided and to the extent it is within the knowledge of Cap Rock.

Identification. “Identification” of a document includes stating (a) the nature of the document (e.g., letter, memorandum, corporate minutes), (b) the date, if any, appearing thereon, (c) the date, if known, on which the document was prepared, (d) the title of the

document, (e) the general subject matter of the document, (f) the number of pages comprising the document, (g) the identity of each person who signed or initialed the document, (h) the identity of each person to whom the document was addressed, (i) the identity of each person who received the document or reviewed it, (j) the location of the document, and (k) the identity of each person having custody of, or control over, the document. Identification of a document includes identifying all documents known or believed to exist, whether or not in the custody of Cap Rock or in the custody of its attorneys or other representatives or agents.

“Identification” of a person includes stating his or her full name, his or her most recent known business address and telephone number, his or her present position, and his or her prior connection or association with any party to this proceeding.

Person. “Person” refers to, without limiting the generality of its meaning, every natural person, corporate entity, partnership, association (whether formally organized or ad hoc), joint venture, unit operation, cooperative, municipality, commission, governmental body or agency.

Miscellaneous Terms and Definitions. The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

“Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”

“Any ” shall be construed to include “all” and “all” shall be construed to include “any.”

The term “concerning,” or one of its inflections, includes the following meanings: relating to; referring to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

The term “including,” or one of its inflections, means and refers to “including but not limited to.”

Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.

The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

Instructions

Answer Under Oath on Knowledge, Information, or Belief. Pursuant to P.U.C. Proc. R. 22.144(c)(2), please make all answers to these requests for information under oath. Please answer each question based upon your knowledge, information, or belief, and any answer that is based upon information or belief should state that it is given on that basis.

Answer Format. In providing your responses, please start each response on a separate page and type, at the top of the page, the question that is being answered. Please answer the questions and sub-questions in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the question.

As part of the response to each question, please state, at the bottom of the answer, the name and job position of each person who participated in any way, other than providing clerical assistance, in the preparation of the answer. If the question has sub-parts, please identify the responding person or persons by sub-part. Please also state the name of the witness in this docket who will sponsor the answer to the question and who can vouch for the truth of the answer. If the question has sub-parts, please identify the witness or witnesses by sub-part. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced.

Electronic or Magnetic Data. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, please produce any electronic or magnetic data (which is included in the definition of “document”) that is responsive to a request herein on CD-Rom in a format that is compatible with Microsoft Word, Word Perfect, Excel, Quattro, or Access along with your response to these requests. If such data cannot be provided in these formats, please contact the undersigned counsel as soon as possible to discuss an appropriate format.

Furnish Supporting Data. In answering these questions, furnish all supporting information that is available to you, including information in the possession of your agents, employees, and representatives, all others from whom you may freely obtain it, and your attorneys and their investigators.

Possession of Responsive Data. If you or any of your attorneys have possession, custody, or control (as defined by TEX. R. CIV. P. 192.7(b)) of the originals of any documents requested, please produce the originals or a complete copy of the originals and all copies that are different in any way from the original, whether by interlineation, receipt stamp, or notation.

If you or any of your attorneys do not have possession, custody, or control of the originals of the documents requested, please produce however made, copies that are in your possession, custody, or control. If any document requested is not in your possession or subject to your control, please explain why not, and give the present location and custodian of any copy or summary of the documents.

Previously Furnished Information. If the information requested is included in previously furnished exhibits, workpapers, responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references.

Answer as Information Becomes Available. Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.

Continuing in Nature. These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer between the time of your original response and the time of the hearings, then you should submit, under oath, a supplemental response to your earlier answer pursuant to P.U.C. Proc. R. 22.144(i).

Claim of Privilege. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

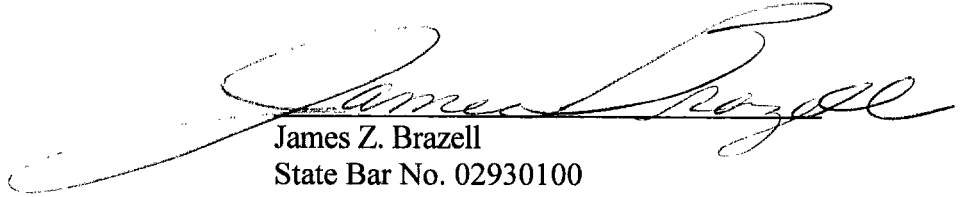
Claim that Response is Voluminous. Pursuant to P.U.C. Proc. R. 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

Claim that Question is Burdensome. If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please call the undersigned counsel as soon as possible to discuss the situation and to try to resolve the problem.

Claim that Question is Confusing. If any question appears confusing, please request clarification from the undersigned counsel.

Claim that Question Seeks Proprietary Information. If you object to any of the questions on the grounds that the question seeks proprietary information, or on any other grounds, please call the undersigned counsel as soon as possible.

Respectfully submitted,



James Z. Brazell

State Bar No. 02930100

LAW OFFICE OF GEORGE C. NEALE

P. O. Box 1945

Austin, Texas 78767

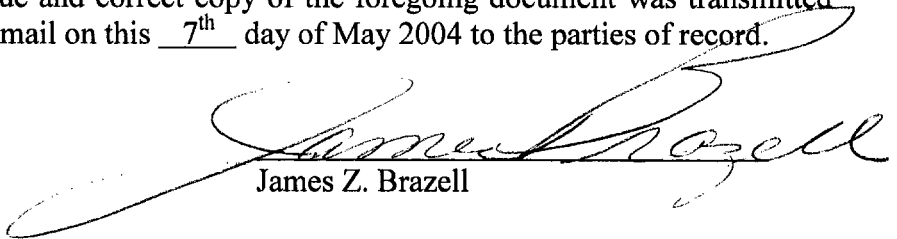
(512) 477-1976

(512) 477-1907 (FAX)

**ATTORNEYS FOR PIONEER
NATURAL RESOURCES, USA, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was transmitted by fax and/or regular, first class mail on this 7th day of May 2004 to the parties of record.



James Z. Brazell

EXHIBIT A
SOAH DOCKET NO. 473-84-3554
PUC DOCKET NO. 28813

PIONEER'S FOURTEENTH REQUESTS FOR INFORMATION
FROM CAP ROCK

- Pioneer 14-1 Explain in detail Cap Rock's answer "None" in response to Pioneer RFI 2-39.
- Pioneer 14-2 Describe in detail Cap Rock's current records retention policy. Describe in detail Cap Rock's records retention policy as it existed on January 1, 2004. Describe in detail each change, modification, correction, revision, amendment, alteration, and deletion to Cap Rock's records retention policy from January 1, 2004, through the present. Provide copies of all relevant documents.
- Pioneer 14-3 Describe in detail Cap Rock's current e-mail retention policy. Describe in detail Cap Rock's e-mail retention policy as it existed on January 1, 2004. Describe in detail each change, modification, correction, revision, amendment, alteration, and deletion to Cap Rock's e-mail retention policy from January 1, 2004, through the present. Provide copies of all relevant documents.
- Pioneer 14-4 Describe in detail Cap Rock's current policy regarding revision, alteration, replacement, amendment, or making any other changes to Cap Rock documents and records. Describe in detail Cap Rock's policy as it existed on January 1, 2004. Describe in detail each change, modification, correction, revision, amendment, alteration, and deletion to Cap Rock's policy from January 1, 2004, through the present. Provide copies of all relevant documents.
- Pioneer 14-5 State for each month from January 1, 2004, through the present whether any Cap Rock documents were destroyed, discarded, recycled, or otherwise disposed of in any other manner. Describe in detail the documents destroyed, discarded, recycled, or disposed of. State the reasons for destroying, discarding, recycling, or disposing of such documents. Identify all personnel that directed, managed, oversaw, supervised and/or executed such destruction, discarding, recycling, or disposition and describe each person's roles, duties, tasks, and assignments. State whether, and describe in detail how, such destruction, discarding, recycling, or disposing of documents was executed pursuant to and consistent with Cap Rock's records retention policy in effect at the time. Provide all relevant documents.
- Pioneer 14-6 State for each month from January 1, 2004, through the present whether any Cap Rock e-mail files, records, or documents were saved, archived, deleted, overwritten, trashed, destroyed, discarded, recycled, or disposed of in any other manner. Describe in detail the e-mail files, records, or documents that were saved, archived, deleted, overwritten, trashed, destroyed, discarded, recycled, or disposed of in any other manner. Identify all personnel that directed, managed, oversaw, supervised and/or executed such saving, archiving, deleting, overwriting, trashing, destroying, discarding, recycling, or disposing of such e-

mail files, records, or documents and describe each person's roles, duties, tasks, and assignments. State the reasons for saving, archiving, deleting, overwriting, trashing, destroying, discarding, recycling, or disposing of such e-mail files, records, or documents. State whether and describe in detail how such saving, archiving, deleting, overwriting, trashing, destroying, discarding, recycling, or disposing of such e-mail files, records, or documents was executed pursuant to and consistent with Cap Rock's records retention policy in effect at the time. Provide all relevant documents.

- Pioneer 14-7 State for each month from January 1, 2004, through the present whether any Cap Rock documents and records were revised, altered, replaced, or amended. List and describe in detail the documents that were revised, altered, replaced, or amended. State the reasons for revising, altering, replacing, or amending such documents. Identify all personnel that directed, managed, oversaw, supervised and/or executed such revision, alteration, replacement, or amendment and describe each person's roles, duties, tasks, and assignments. State whether and describe in detail how such revision, alteration, replacement, or amendment of such documents was executed pursuant to and consistent with Cap Rock's policy in effect at the time. Provide all relevant documents.
- Pioneer 14-8 What percentage of Cap Rock's billed energy consumption was based upon estimated meter readings rather than actual meter readings during the test period?
- Pioneer 14-9 What screening procedures are employed by Cap Rock to ensure that billings are not submitted to customers with dubious or impossible values, such as dramatically different demand and energy consumption figures, dramatically different demand figures with no corresponding change in energy consumption, dramatically different energy consumption figures with no corresponding change in demand, or load factors exceeding 100%?
- Pioneer 14-10 Please provide details regarding procedures and policies employed by Cap Rock regarding the auditing of its contract meter reading personnel.
- Pioneer 14-11 For calendar years 2001, 2002 and 2003, please provide the results of any audits of Cap Rock's contract meter reading personnel, including details regarding punitive measures taken against these personnel due to non-performance or poor performance of required duties.
- Pioneer 14-12 Please provide the names of all customers that have been served under Cap Rock Tariff 202.6: Rider I - Interruptible Service since its inception. Also provide the underlying "base tariff(s)" to which the \$4.50/kW Interruptible Service demand credit was applied for each affected customer.
- Pioneer 14-13 Please provide details regarding the manner in which Cap Rock notified potential customers of the existence of and qualifications for Tariff 202.6: Rider I - Interruptible Service since its inception.

Pioneer 14-14 Does Cap Rock maintain records of the monthly billable demand figures for individually metered loads comprising summary bills for Dual Fuel rate customers, and, if so, for what period of time do these records exist?