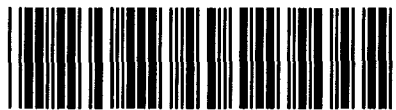




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PUBLIC UTILITY COMMISSION
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APPLICATION OF AEP TEXAS
CENTRAL FOR AUTHORITY TO
CHANGE RATES

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

**TEXAS INDUSTRIAL ENERGY CONSUMERS' FIRST SET OF REQUESTS
FOR INFORMATION TO THE OFFICE OF THE ATTORNEY GENERAL**

Pursuant to § 22.144 of the Commission's Procedural Rules, Texas Industrial Energy Consumers ("TIEC") requests that the Office of the Attorney General ("OAG"), by and through its attorneys of record, provide all of the information requested on the attached Exhibit "A" within seven (7) calendar days of receipt thereof pursuant to Order No. 3 in this proceeding.

Pursuant to P.U.C. Proc. R. 22.144(c)(2), TIEC further requests that answers to the requests for information be made under oath. 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 for information, 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 which would modify or change an answer supplied by you, such changed answer should be submitted immediately as a supplement to your original answer pursuant to P.U.C. Proc. R. 22.144(i). Please answer each request and sub-request in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the request. TIEC further requests that each item of information be made available as it is completed, rather than upon compilation of all information requested.

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

Rex VanMiddlesworth
Karen Whitt
Andrews Kurth LLP
111 Congress Avenue, Suite 1700
Austin, Texas 78701
(512) 320-9200

Mr. Jeffry Pollock
Brubaker and Associates, Inc.
1215 Fern Ridge Parkway, Suite 208
St. Louis, Missouri 63141-2000
(314) 275-7007

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DEFINITIONS AND INSTRUCTIONS

A. "OAG" or "you" refers to the Office of the Attorney General, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

B. The terms "document" or "documents" are used in their broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description whether printed, produced or reproduced by any process whether visually, magnetically, mechanically, electronically or by hand, 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 writings, correspondence, telegrams, memoranda, studies, reports, surveys, statistical compilations, notes, calendars, tapes, computer disks, data on computer drives, e-mail, cards, recordings, contracts, agreements, invoices, licenses, diaries, journals, accounts, pamphlets, books, ledgers, publications, microfilm, microfiche and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form. "Document" or "documents" 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.

C. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, TIEC specifically requests that any electronic or magnetic data (which is included in the definition of "document") that is responsive to a request herein be produced on CD-Rom in a format that is compatible with Microsoft, Macintosh and/or Word Perfect and be produced with your response to these requests.

D. The terms "and" and "or" shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

E. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."

F. "Any" shall be construed to include "all" and "all" shall be construed to include "any."

G. 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.

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

I. 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.

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

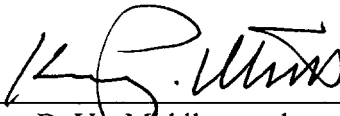
K. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

L. 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.

M. 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.

Respectfully submitted,

ANDREWS KURTH LLP



Rex D. VanMiddlesworth

State Bar No. 20449400

Karen Whitt

State Bar No. 24034738

111 Congress Avenue, Suite 1700

Austin, Texas 78701

(512) 320-9200

(512) 320-9292 Fax

ATTORNEYS FOR TEXAS INDUSTRIAL
ENERGY CONSUMERS

CERTIFICATE OF SERVICE

I, Karen P. Whitt, Attorney for Texas Industrial Energy Consumers, hereby certify that a copy of Texas Industrial Energy Consumers' First Request for Information to the Office of the Attorney General was served on all parties of record in this proceeding on this 17th day of February, 2004, by facsimile and/or first class U.S. mail.



Karen P. Whitt

SOAH DOCKET NO. 473-04-1033
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APPLICATION OF AEP TEXAS	§	BEFORE THE STATE OFFICE
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	§	

**TEXAS INDUSTRIAL ENERGY CONSUMERS' FIRST SET OF REQUESTS
FOR INFORMATION TO THE OFFICE OF THE ATTORNEY GENERAL**

- TIEC 1-1. Referring to Section IV of the direct testimony of Ms. Kit Pevoto, concerning customer class base rate revenue assignments:
- a. Please provide all source documents and workpapers that Ms. Pevoto relied upon in developing the gradualism constraints she applied to the class cost of service study;
 - b. Explain in detail how Ms. Pevoto developed these gradualism constraints; and
 - c. Please provide detailed citations to any prior decisions in either Texas or any other state or federal regulatory jurisdiction that support the proposed gradualism constraints.