



Control Number: 36952



Item Number: 28

Addendum StartPage: 0

SOAH DOCKET NO. 473-09-4591  
PUC DOCKET NO. 36952

APPLICATION OF CENTERPOINT  
ENERGY HOUSTON ELECTRIC, LLC  
TO DEFER ENERGY EFFICIENCY  
COST RECOVERY AND FOR  
APPROVAL OF AN ENERGY  
EFFICIENCY COST RECOVERY  
FACTOR

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PUBLIC UTILITY COMMISSION  
OF TEXAS

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**TEXAS INDUSTRIAL ENERGY CONSUMERS' FIRST SET OF REQUESTS  
FOR INFORMATION TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

Pursuant to § 22.144 of the Commission's Procedural Rules, Texas Industrial Energy Consumers ("TIEC") requests that CenterPoint Energy Houston Electric, LLC ("CenterPoint" or "the Company"), by and through its attorneys of record, provide all of the information requested on the attached Exhibit "A" within twenty (20) days of receipt thereof pursuant to P.U.C. Proc. R. 22.144(c)(1).

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:

Lino Mendiola  
Tammy Cooper  
Gabrielle Stokes  
Andrews Kurth LLP  
111 Congress Avenue, Suite 1700  
Austin, Texas 78701  
(512) 320-9200

Jeffrey Pollock  
J. Pollock, Inc.  
12655 Olive Blvd., Suite 335  
St. Louis, Missouri 63141  
(314) 878-5814

#### **DEFINITIONS AND INSTRUCTIONS**

A. "CenterPoint," "the Company" or "you" refers to CenterPoint Energy Houston Electric, LLC, and its affiliates, subsidiaries, 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.

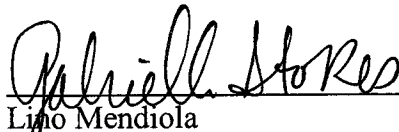
K. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

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



Lino Mendiola

State Bar No. 00791248

Tammy Cooper

State Bar No. 00796401

Gabrielle Stokes

State Bar No. 24059137

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, Gabrielle Stokes, Attorney for Texas Industrial Energy Consumers, hereby certify that a copy of this document was served on all parties of record in this proceeding on this 24<sup>th</sup> day of June, 2009, by electronic mail, facsimile and/or first class U.S. mail.

  
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Gabrielle Stokes

**SOAH DOCKET NO. 473-09-4591  
PUC DOCKET NO. 36952**

<b>APPLICATION OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC TO DEFER ENERGY EFFICIENCY COST RECOVERY AND FOR APPROVAL OF AN ENERGY EFFICIENCY COST RECOVERY FACTOR</b>	§ § § § § § § §	<b>PUBLIC UTILITY COMMISSION        OF TEXAS</b>
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**TEXAS INDUSTRIAL ENERGY CONSUMERS' FIRST SET OF REQUESTS  
FOR INFORMATION TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

- TIEC 1-1. Please provide a detailed list of all energy efficiency programs and services CenterPoint made available to transmission-level industrial customers in 2008. In addition, please provide the amount CenterPoint spent on each of these programs and services.
- TIEC 1-2. For the year 2008, please identify all "Grandfathered Programs," as the term is defined in P.U.C. Subst. R. 25.181(t), that were available to transmission-level industrial customers. In addition, please provide the amount spent on each of these programs.
- TIEC 1-3. Please provide a detailed list of all energy efficiency programs and services CenterPoint made available to transmission-level non-profit customers and government entities in 2008. Please also provide the amount CenterPoint spent on each of these programs and services. In addition, please explain how the costs of these services and programs were allocated among the various customer classes.
- TIEC 1-4. Please provide a detailed list of all energy efficiency programs and services CenterPoint made available to commercial customers, as defined by P.U.C. Subst. R. 25.181(c), in 2008. In addition, please provide the amount CenterPoint spent on each of these programs and services.
- TIEC 1-5. Please provide a detailed list of the energy efficiency programs and services CenterPoint has made available to transmission-level industrial customers in 2009. In addition, please provide the amount CenterPoint has spent or will spend on each of these programs and services.
- TIEC 1-6. For the year 2009, please identify all "Grandfathered Programs," as the term is defined in P.U.C. Subst. R. 25.181(t), that are available to transmission-level

industrial customers. In addition, please provide the amount spent or that will be spent on each of these programs.

- TIEC 1-7. Please provide a detailed list of the energy efficiency programs and services CenterPoint has made available to transmission-level non-profit customers or governmental entities in 2009. Please also provide the amount CenterPoint has spent or will spend on these programs and services. In addition, please explain how the costs of these services and programs are allocated among the various customer classes.
- TIEC 1-8. Please provide a detailed list of the energy efficiency programs and services CenterPoint has made available for commercial customers, as defined by P.U.C. Subst. R. 25.181(c), in 2009. In addition, please identify these programs and services and the amount CenterPoint has spent or will spend on each of these programs and services.
- TIEC 1-9. Does CenterPoint's proposed 2010 Energy Efficiency Cost Recovery Factor ("EECRF") include costs for energy efficiency programs or services for transmission-level industrial customers? If so, please identify these programs or services and the amount CenterPoint has estimated it will spend on these programs and services.
- TIEC 1-10. Does CenterPoint's proposed 2010 EECRF include costs for "Grandfathered Programs," as the term is defined in P.U.C. Subst. R. 25.181(t), that are available to transmission-level industrial customers? If so, please identify these programs and provide the amount CenterPoint estimates that it will spend on each of these programs.
- TIEC 1-11. Does CenterPoint's proposed 2010 EECRF include costs for energy efficiency programs or services for transmission-level non-profit customers or government entities? If so, please identify these programs or services and the amount CenterPoint has estimated it will spend on these programs or services. In addition, please identify which customer class(es) have been allocated the cost of these programs or services, as reflected in Exhibit BJC-1 of Mr. Carranza's Direct Testimony.
- TIEC 1-12. Does CenterPoint's proposed 2010 EECRF include costs for energy efficiency programs or services for commercial customers, as defined by P.U.C. Subst. R. 25.181(c)? If so, please identify these programs or services and the amount CenterPoint estimates it will spend on each of these programs or services.
- TIEC 1-13. Does CenterPoint propose allocating a portion of the 2008 performance bonus payments to transmission-level industrial customers? If so, please state the basis of allocating such payments to this customer class.

- TIEC 1-14. To the extent not already provided, please provide all documents and workpapers supporting the determination of the allocation of CenterPoint's estimated energy efficiency costs for 2010. Please provide in native format when possible.
- TIEC 1-15. Please explain how the \$2,099,821 in "carry-over" dollars referred to in Mr. Ahren's Direct Testimony at page 9 was allocated among the various customer classes to offset the amount requested through CenterPoint's proposed 2010 EECRF. Specifically, please provide the amount allocated to transmission-level industrial customers.