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P.U.C. DOCKET NO. 37744
SOAH DOCKET NO. 473-10-1962

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PUBLIC UTILITY COMMISSION
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APPLICATION OF ENTERGY
TEXAS, INC. FOR AUTHORITY
TO CHANGE RATES AND RECONCILE
FUEL COSTS

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BEFORE THE STATE
OF
ADMINISTRATIVE HEARINGS

**ENTERGY TEXAS, INC.'S FIRST REQUEST FOR INFORMATION
TO THE KROGER COMPANY**

TO: The Kroger Company, by and through its attorneys of record, Michael L. Kurtz and Kurt J. Boehm, Boehm, Kurtz & Lowry, 36 East Seventh Street, Suite 1510, Cincinnati, Ohio 45202.

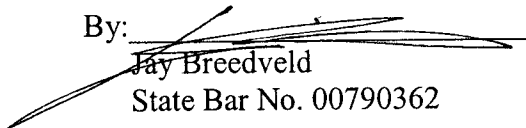
Entergy Texas, Inc. (ETI or the Company) requests that the Kroger Company (Kroger) provide the following information and answer the following questions under oath within 20 days, or sooner if practicable. The answers should be provided in sufficient detail to present all relevant facts. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. For each response, please state the Request for Information and identify the individuals responsible for preparing and sponsoring the response by name and title.

Respectfully submitted,

Steven H. Neinast
Assistant General Counsel
ENTERGY SERVICES, INC.
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Austin, Texas 78701
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By:



Jay Breedveld
State Bar No. 00790362

ATTORNEYS FOR
ENTERGY TEXAS, INC.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served by facsimile, hand-delivery, overnight delivery, or 1st Class U.S. Mail on all parties of record in this proceeding on May 21, 2010.



Jay Breedveld

INSTRUCTIONS

1. Reference to "Kroger" or "your" means Kroger and its agents, consultants, and all witnesses whose testimony Kroger intends to present to the Public Utility Commission of Texas, and all persons acting or purporting to act for or on behalf of Kroger.
2. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."
3. "Any" shall be construed to include "all" and "all" shall be construed to include "any."
4. The terms "document" and "documents" are used in their broadest sense and shall mean and include all written, printed, typed, recorded, or graphic matter of every kind and description and all attachments and appendices thereto. Without limiting the foregoing, the terms "document" and "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, records of personal conversations, minutes or summaries or other records of meetings and conferences, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work 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, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing, and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, electronically stored matter, however band by whomever produced, prepared, reproduced, disseminated, or made).
5. Words used in the plural shall be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
6. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
7. If any document is withheld under any claim or privilege, please furnish a privilege log identifying each document for which a privilege is claimed, together with the following information: date and title of the document; the preparer or custodian of the information; to whom the document was sent and from whom it was received; the subject matter of the document; and the basis upon which the privilege is claimed.
8. If there is any question regarding the meaning or intent of a word or words in these requests, please contact counsel of record for Entergy, Texas, Inc. for clarification.

FIRST REQUEST FOR INFORMATION TO KROGER

- 1-1. For each witness presenting testimony for Kroger, to the extent not provided with his or her pre-filed testimony in this proceeding, please provide
- a. name, address, and telephone number;
 - b. the subject matter on which the witness will testify;
 - c. the facts known by the witness that relate to or form the basis of the witness's mental impressions and opinions formed or made in connection with the testimony;
 - d. the methods by which the mental impressions and opinions were formed;
 - e. the witness's current resume and bibliography;
 - f. copies of all documents (including, but not limited to, all tangible reports, physical models, and compilations of data) provided to, reviewed by, or prepared by or for the witness in this docket. To the extent that documents are available electronically, please provide a copy in native electronic format with all cells and formulae intact. You may identify, in lieu of production, and document responsive to this request that was included in ETI's rate filing package or Company-sponsored discovery response.
- 1-2. For any consulting expert whose mental impressions or opinions have been reviewed by a testifying expert for Kroger, please provide:
- a. name, address, and telephone number;
 - b. the facts known by the consulting expert in connection with this docket;
 - c. the mental impressions and opinions formed by the consulting expert;
 - d. the methods by which the mental impressions and opinions were formed;
 - e. the consulting expert's current resume and bibliography; and
 - g. copies of all documents (including, but not limited to, all tangible reports, physical models, and compilations of data) provided to, reviewed by, or prepared by the consulting expert on behalf of Kroger. To the extent that documents are available electronically, please provide a copy in native electronic format with all cells and formulae intact. You may identify, in lieu of production, and document responsive to this request that was included in ETI's rate filing package or Company-sponsored discovery response.

- 1-3 To the extent not otherwise provided, please provide all workpapers prepared or reviewed by each of your witnesses in this proceeding, including but not limited to (1) a list of each RFI response directly relied upon; (2) books, treatises or other publications; (3) and all calculations in sufficient detail to permit the Company the opportunity to replicate the recommendations. To the extent that documents are available electronically, please provide a copy in native electronic format with all cells and formulae intact. You may identify, in lieu of production, any document responsive to this request that was included in ETI's rate filing package or Company-sponsored discovery response.
- 1-4 Please provide any and all correspondence between each witness offering testimony on behalf of Kroger, and anyone who has prepared, or assisted in the preparation of, testimony for filing on behalf of Kroger in this docket regarding the scope of work to be done by the witness.
- 1-5 For each witness offering testimony on behalf of the Kroger in this docket, please identify and provide:
- a. a copy of all documents sent to or received from such person relating to such person's testimony or to such person's retention, appearance in, or work in connection with this proceeding;
 - b. a copy of all documents made available to such person in connection with such person's retention, appearance in, or work in connection with this proceeding;
 - c. all notes taken by such person and all reports, or other documents created by such individual in connection with such person's retention, appearance in, or work in connection with this proceeding;
 - d. the identity of each publication or speech published or given by such person within the immediately preceding four years with the dates and places given and published; and
 - e. an index of all proceedings in which such person testified or has been deposed in the preceding seven years, including the docket or cause number, date, subject matter, whether the witness's deposition was taken as part of the proceeding, whether the proceeding involved the presentation of written and/or live testimony, whether the testimony is publicly available, and where the testimony is publicly available. If the testimony is not publicly available, please provide a copy of the testimony; and
 - f. any testimony or written statement submitted in the preceding seven years wherein the witness took a position inconsistent with his or her position in this docket.