



Control Number: 38339



Item Number: 679

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**SOAH DOCKET NO. 473-10-5001  
PUC DOCKET NO. 38339**

<b>APPLICATION OF CENTERPOINT</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>ENERGY HOUSTON ELECTRIC, LLC</b>	<b>§</b>	<b>OF</b>
<b>FOR AUTHORITY TO CHANGE</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>
<b>RATES</b>	<b>§</b>	

**THE TEXAS COAST UTILITIES COALITION OF CITIES  
SIXTH SET OF REQUESTS FOR INFORMATION TO  
CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC**

The Texas Coast Utilities Coalition of Cities ("TCUC") Sixth Set of Requests for Information ("RFIs") to CenterPoint Energy Houston Electric, LLC ("CenterPoint") is hereby filed in this docket. Responses to the RFIs set forth on Exhibit A should be served on Felipe Alonso III, Herrera & Boyle, PLLC at 816 Congress Avenue, Suite 1250, Austin, Texas 78701, within three (3) working days of service hereof or no later than October 8, 2010. Exhibit A is attached hereto and incorporated herein for all purposes.

Definitions

1. "CenterPoint," the "Company," and "Applicant" refer to CenterPoint Energy Houston Electric, LLC and its affiliates.
2. "You," "yours," and "your" refer to CenterPoint (as defined above), including its directors, officers, employees, consultants, agents and attorneys.
3. "Document" and "documents" mean any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tapes, film, electronic facsimile, computer storage device of any other media, including, but not limited to, memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, 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.
4. 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 CenterPoint.

5. "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 SPS or in the custody of its attorneys or other representatives or agents.
6. "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.
7. "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.

## **Instructions**

1. If any RFI appears confusing, please request clarification from the undersigned counsel.
2. In providing your responses, please start each response on a separate page and type, at the top of the page, the RFI that is being answered.
3. As part of the response to each RFI, 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 preparing of the answer. If the RFI has sub-parts, please identify the person or persons by sub-part. Please also state the name of the witness in this docket who will sponsor the answer to the RFI and who can vouch for the truth of the answer. If the RFI has sub-parts, please identify the witness or witnesses by sub-part.
4. Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.
5. If CenterPoint considers any RFI 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 in order to discuss the situation and to try to resolve the problem. Likewise, if SPS objects to any of the RFIs on the grounds that the RFI seeks proprietary information, or on any other grounds, please call the undersigned counsel as soon as possible.
6. 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.

7. These requests shall be deemed continuing so as to require further and supplemental responses if CenterPoint receives or generates additional information within the scope of these requests between the time of the original response and the time of the hearings.

Respectfully submitted,

HERRERA & BOYLE, PLLC  
816 Congress Avenue, Suite 1250  
Austin, Texas 78701  
(512) 474-1492  
(512) 474-2507 FAX

By: 

Alfred R. Herrera  
State Bar No. 09529600

Jim Boyle  
State Bar No. 02795000

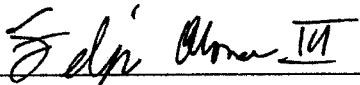
Carrie R. Tournillon  
State Bar No. 24053062

Felipe Alonso III  
State Bar No. 24045400

**ATTORNEYS FOR  
THE TEXAS COAST UTILITIES  
COALITION OF CITIES**

### **CERTIFICATE OF SERVICE**

I certify that I have served a copy of TCUC's Sixth Set of Requests for Information to CenterPoint upon all known parties of record by fax and/or first class mail on this the 5<sup>th</sup> day of October 2010.



Felipe Alonso III

**EXHIBIT A**

**SOAH DOCKET NO. 473-10-5001  
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**THE TEXAS COAST UTILITIES COALITION OF CITIES  
SIXTH SET OF REQUESTS FOR INFORMATION TO  
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**Questions to Mr. Fitzgerald**

- 6-1. Please provide all support and justification for the claim on page 24 of Mr. Fitzgerald's rebuttal testimony that the only benefits customers have received is the benefit of the utility service provided by the land and the facilities on that property.
- 6-2. Regarding the statement on page 24 of Mr. Fitzgerald's rebuttal testimony that the only benefit that customers have received is the benefit of the utility service provided by the land, please reconcile such position with the fact that the Company passes on all gains and losses associated with all other investments other than land to customers through the accumulated provision for depreciation. Specifically, address all reasons why benefits received from depreciable property are not similarly associated with customers only having the benefit of receiving utility service, other than the concept that land is not depreciable and other assets are depreciable.
- 6-3. Regarding the statement on page 24 of Mr. Fitzgerald's rebuttal testimony that the return paid by customers on the original cost of land is the equivalent of rent, please provide all support and justification for such position. Further, state if any of the return was ever booked to any account associated with rents.
- 6-4. Regarding the statement on page 24 of Mr. Fitzgerald's rebuttal testimony that the burden or financial risk of ownership of land has actually been borne by shareholders, please provide all analyses performed identifying each specific factor reviewed in making such determination. Further, provide all workpapers, assumptions, considerations, and material reviewed and/or relied upon in sufficient detail to permit verification of the reasonableness of the Company's response.

6-5. Regarding the statement on the bottom of page 24 and continuing to the top of page 25 of Mr. Fitzgerald's rebuttal testimony pertaining to the fact that most of the sale of land occurred outside of the test year, please provide the following:

- a) All prohibitions that the Company is aware of that prohibit addressing gains or losses on sale to periods outside the test year.
- b) A statement of whether the Company believes that any plant transaction outside the test year cannot be considered in a rate proceeding, and if so, why, including all support and justification.
- c) All precedent that the Company is aware of that supports a position that gain on sale of land outside of the test year must be considered solely for the benefit of shareholders.