

Control Number: 46429



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PUC DOCKET NO. 46429

APPLICATION OF BRAZOS ELECTRIC §
POWER COOPERATIVE, INC. TO §
AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY FOR §
A 138-KV TRANSMISSION LINE IN §
COLLIN COUNTY §

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**ALLENTOWNE MALL, LLC'S FIRST SET OF REQUESTS FOR INFORMATION TO
BRAZOS ELECTRIC POWER COOPERATIVE, INC.**

Allentowne Mall, LLC ("Allentowne Mall") files the following requests for information ("RFIs") pursuant to P.U.C. PROC. R. 22.144. Allentowne Mall requests that Brazos Electric Power Cooperative, Inc. ("Brazos"), by and through its attorneys of record, provide all of the information requested on the attached Exhibit "A" in accordance with the enclosed Definitions and Instructions within twenty (20) days of receipt thereof. All information responsive to the requests on the attached Exhibit "A" should be sent to the following persons on a piecemeal basis as individual items become available:

Meghan Griffiths
Leslie Robnett
Andrews Kurth LLP
111 Congress Avenue, Suite 1700
Austin, Texas 78701
(512) 320-9200
mgriffiths@andrewskurth.com

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DEFINITIONS AND INSTRUCTIONS

- A. Pursuant to P.U.C. PROC. R. 22.144(c)(2), Allentowne Mall 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.
- B. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced.
- C. 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).
- D. 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.
- E. Allentowne Mall requests that each item of information be made available as it is completed, rather than upon compilation of all information requested.
- F. "Applicant," "you," "the utility," "BEPC" or "Brazos Electric Power Cooperative" refers to Brazos Electric Power Cooperative, Inc. and its affiliates, member cooperatives, and any person acting or purporting to act on their behalf including without limitation attorneys, agents, advisors, investigators, representatives, employees, and other persons.
- G. The term "study" or "studies" means any analysis, investigation, summary of data, listing, or report, the results of which were made known, formally or informally, where the author thereof reached an objective or subjective conclusion or presented information upon which others could or did reach an objective or subjective conclusion.
- H. 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, originals and copies, and all attachments and appendices thereto, 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.

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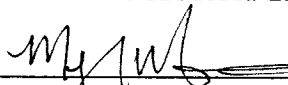
- I. The term “communication” shall mean any transmission of information by oral, graphic, written, pictorial, or other means, including, but not limited to, telephone, conversations, letters, telegrams, e-mails, text messages and personal conversations.
- J. Pursuant to Tex. R. Civ. P. 196.4, Allentowne Mall 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 some type of removable media, such as CD, USB flash drive or external hard drive in a format that is compatible with Microsoft, Macintosh and/or Word Perfect and be produced with your response to these requests.
- K. The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.
- L. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”
- M. “Any” shall be construed to include “all” and “all” shall be construed to include “any.”
- N. 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.
- O. The term “including,” or one of its inflections, means and refers to “including but not limited to.”
- P. “Relate to,” “regarding,” “concerning” and similar terms mean addressing, analyzing, referring, discussing, mentioning in any way, explaining, supporting, describing, forming the basis for, or being logically or causally connected in any way with the subject of these discovery requests.
- Q. “Provide the basis,” “state the basis,” or “explain the basis” means provide all information on and describe every fact, statistic, inference, estimate, consideration, conclusion, studies, and analysis known to Brazos that was relied upon in support of the expressed contention, proposition, conclusion or statement.
- R. 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.
- S. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- T. 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.

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- U. When a request calls for the identification of a “document” or “documents,” the identification should include the following:
1. The full name and address of the author(s) by whom the document was written, prepared, recorded or made;
 2. The date of the document;
 3. The title or “re:” line, and the subject of the document;
 4. The subject matter of the document;
 5. The full name and address of the recipient and every person who received copies of the document;
 6. The full name and address of the person who has possession, custody or control of the document, or who is in charge of maintaining the document; and
 7. If the document has been lost, shredded, or destroyed (whether intentionally or unintentionally), an explanation of the reasons for and causes of such loss, shredding or destruction.
- V. If any of the information requested is claimed to be privileged or proprietary, then the response should identify such information, identify all persons who participated in the preparation of the information or who received a copy, read, or examined the information or knows of its substance, state the present location of the information and all copies of it, and identify each person having custody or control of the information or any of the copies.
- W. 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.
- X. If any requested information is not available in the form requested, provide the information in the form that it currently exists, explain why the data cannot be provided in the form requested, and describe the work or process needed to provide the information in the form requested.

Respectfully submitted,

ANDREWS KURTH LLP



Meghan Griffiths

State Bar No. 24045983

Leslie Robnett

State Bar No. 24065986

111 Congress Avenue, Suite 1700

Austin, Texas 78701

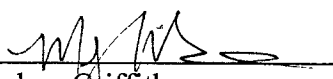
(512) 320-9200

(512) 320-9292 FAX

ATTORNEYS FOR ALLENTOWNE MALL, LLC

CERTIFICATE OF SERVICE

I, Meghan Griffiths, hereby certify that a copy of this document was served on all parties of record in this proceeding on this 23rd day of February, 2017 by electronic mail; facsimile and/or First Class, U.S. Mail, Postage Prepaid.


Meghan Griffiths

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**ALLENTOWNE MALL, LLC'S FIRST SET OF REQUESTS FOR INFORMATION TO
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- 1-1. For each of the alternative interchange points (INT 1, INT 2, INT 3, INT 4) in the proposed project, please identify:
- a. the size and cost of the property expected to be purchased for the interchange point
 - b. the type of switching equipment (e.g. switches, circuit switchers, breakers) expected for the interchange point
 - c. the equipment cost of the facilities to be installed
 - d. the labor cost of installation
 - e. the total cost of the expected interchange point