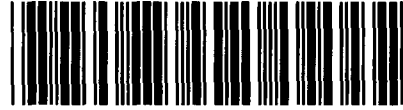




Control Number: 48929



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**SOAH DOCKET NO. 473-19-3108  
PUC DOCKET NO. 48929**

2019 MAR 19 PM 2:29

<p><b>JOINT REPORT AND APPLICATION OF ONCOR ELECTRIC DELIVERY COMPANY LLC, SHARYLAND DISTRIBUTION &amp; TRANSMISSION SERVICES, L.L.C., SHARYLAND UTILITIES, L.P., AND SEMPRA ENERGY FOR REGULATORY APPROVALS UNDER PURA §§ 14.101, 37.154, 39.262, AND 39.915</b></p>	<p>§ § § § § § § § §</p>	<p><b>BEFORE THE  PUBLIC UTILITY COMMISSION  OF TEXAS</b></p>
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**SEMPRA ENERGY'S  
FIRST REQUEST FOR INFORMATION TO  
TEXAS INDUSTRIAL ENERGY CONSUMERS  
QUESTION NOS. 1-1 THROUGH 1-8**

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Sempra Energy propounds this First Request for Information (“RFI”) to Texas Industrial Energy Consumers (“TIEC”). Responses to these RFIs are due within five working days under the terms of the procedural schedule adopted in Order No. 3. Therefore, TIEC must serve responses to these RFIs on or before March 26, 2019.

## **I. DEFINITIONS**

The following definitions apply to each of the RFIs, instructions, and definitions set forth in this document:

1. A reference to “Sempra” or the “Company” shall mean Sempra Energy.
2. A reference to “TIEC” shall mean the Texas Industrial Energy Consumers and all employees, agents, consultants, attorneys, and all other persons acting on behalf of TIEC.
3. The term “Commission” refers to the Public Utility Commission of Texas.
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, electronic mail (e-mail), modem transfers, 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 TIEC.
5. “Documents” refers to all writings and records of every type, including e-mails or other electronic media, in the possession, control, or custody of TIEC, whether produced or stored by any process, including magnetically or electronically. “Documents” shall also refer to copies of documents, even though the originals of those documents are not in the possession, custody, or control of TIEC, every copy of a document which contains handwritten or other notations or which otherwise does not duplicate the original or any other copy, and all attachments to any documents.
6. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, Sempra specifically requests production of electronic or magnetic data (included in the definition of document) that is responsive to a request be produced on CD-ROM, DVD, or USB in a format that is compatible with Adobe Acrobat, Microsoft Word, or Microsoft Excel. If a particular type of data cannot be made compatible with these formats, please confer with the attorney(s) listed in the General Instructions to determine a mutually agreeable format.

7. The term “e-mail” includes the entire string and all attachments found anywhere in the e-mail string.
8. The term “concerning” 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.

## **II. GENERAL INSTRUCTIONS**

The following General Instructions apply to each of the RFIs by Sempra:

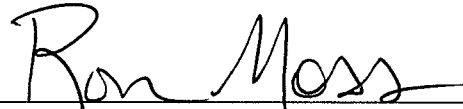
1. Please provide all narrative responses in hard copy, on separate pages for each response, with the question restated at the top of the page. Where possible, please also provide responses via e-mail including all exhibits that are electronically available.
2. For each responsive answer, please identify the individual(s) responsible for its preparation, and the witness sponsoring the answer provided.
3. If a data request can be answered in whole or in part by reference to the response to a preceding or subsequent data request, including data requests of Commission Staff and other parties, so indicate. Specify the preceding or subsequent data request by participant or party and by number, and state whether it is claimed that the response to the preceding or subsequent data request is a full response to the instant data request. If not, furnish the balance of the response needed to complete a full reply.
4. In the event any document requested in this request is unavailable, describe in detail the reasons the document is unavailable.
5. When an RFI requests copies of previously filed testimony, please provide either: (a) an electronic or paper copy of the testimony itself; or (b) sufficient information for Sempra to retrieve the testimony from a publicly available source, including: (i) the jurisdiction in which the testimony was filed; (ii) the docket number of the proceeding in which the testimony was filed; (iii) the date the testimony was filed; and (iv) if available, an electronic link to the testimony itself, rather than just a link to the jurisdiction’s website.
6. When producing documents pursuant to these RFIs, designate on the document or group of documents the RFI(s) in response to which the document(s) are produced.
7. If, in answering any of these RFIs, there is an ambiguity in interpreting either the request or a definition or instruction applied thereto, please contact either Ron Moss or Leila Melhem at:

Winstead PC  
401 Congress Avenue, Suite 2100  
Austin, Texas 78701  
R. Moss Office: (512) 370-2867  
L. Melhem Office: (512) 370-2891  
Facsimile: (512) 370-2850  
E-mail: rhmoss@winstead.com  
E-mail: lmelhem@winstead.com

8. If that is not possible, set forth the language deemed to be ambiguous and the interpretation chose or used in responding to the request.
9. These data requests are continuing in nature and require supplemental responses when further or different information with respect to any of them is obtained.
10. Use of the singular or plural word form in a data request is not to be interpreted to exclude information or documents from the scope or intent of the specific request.
11. The terms “and” and “or” shall be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of these requests any information or documents which might otherwise be considered to be beyond their scope.
12. If any document covered by this request is withheld for whatever reason, please furnish a list identifying all withheld documents in the following manner:
  - (a) the reason for withholding;
  - (b) the date of the document;
  - (c) a brief description of the document;
  - (d) the name of each author or preparer;
  - (e) the name of each person who received the document; and
  - (f) a statement constituting the basis for withholding the document.
13. If TIEC declines to respond to any request for information or data on the basis of privilege, please state as to each such request an explanation for the refusal. Identify those documents and communications that are withheld from the response to each specific data request. The identification shall be served within the time specified by the presiding examiner for this proceeding and in accordance with the Rules of the Commission, and shall:
  - (a) specify the date of the document, its author(s) (with title and designation if an attorney), and recipients (with title and designation if an attorney);
  - (b) contain a brief summary of the subject matter of the document; and
  - (c) contain a brief statement of the reason that, in your opinion, the assertion of a privilege is justified.
14. Please provide data responses as they become available.

Erbin Keith  
Chief Regulatory Officer and Special Counsel  
Sempra Energy  
488 8<sup>th</sup> Avenue, HQ-15E  
San Diego, California 92101  
Office: (619) 696-4540  
Facsimile: (619) 696-9202  
e-mail: ekeith@sempra.com

Respectfully submitted,



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Ron H. Moss  
State Bar No. 14591025  
Leila Melhem  
State Bar No. 24083492  
Winstead PC  
401 Congress Avenue, Suite 2100  
Austin, Texas 78701  
Office: (512) 370-2867  
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e-mail: rhmoss@winstead.com  
e-mail: lmelhem@winstead.com

**ATTORNEYS FOR SEMPRA ENERGY**

## REQUESTS FOR INFORMATION

### QUESTION NO. SEMPRA-TIEC 1-1

Please provide the contract between TIEC and Mr. Griffey for Mr. Griffey's work in this docket.

### QUESTION NO. SEMPRA-TIEC 1-2

In connection with his work in this docket, has Mr. Griffey had any communications with any of the companies who are represented by TIEC in this docket? If so, please provide all copies of such communications.

### QUESTION NO. SEMPRA-TIEC 1-3

Please provide copies of all prior testimonies in which Mr. Griffey has testified about ring-fencing.

### QUESTION NO. SEMPRA-TIEC 1-4

Was TIEC a party to Docket No. 33734, the docket in which Electric Transmission Texas, LLC ("ETT") was granted a Certificate of Convenience and Necessity ("CCN") to own and operate transmission lines in Texas?

- (a) In Docket No. 33734, did the Commission order that ETT be subject to ring-fencing restrictions as a condition of approving ETT's application for a CCN.
- (b) In any subsequent ETT proceeding to amend its CCN for new transmission projects, did TIEC advocate for denial of the CCN amendment because of the lack of ring-fencing for ETT?
- (c) In any subsequent ETT proceeding to amend its CCN for new transmission projects, did TIEC recommend ring-fencing restrictions be imposed as a condition of approving the CCN amendment? If not, why not?

**QUESTION NO. SEMPRA-TIEC 1-5**

Was TIEC a party to Docket No. 35665, the docket in which the Commission selected Transmission Service Providers (“TSP”) to construct Competitive Renewable Energy Zone (“CREZ”) projects?

- (a) Did TIEC support awarding CREZ projects to both ETT and Sharyland in Docket No. 35665?
- (b) Confirm or deny that TIEC’s position in Docket No. 33665 was, in part, that increasing the number of transmission providers could result in a fragmented grid planning and operation and duplicative costs.
- (c) In any of the subsequent projects in which TSPs were awarded Certificates of Convenience and Necessity (“CCN”) to build CREZ projects, did TIEC advocate for denial of the CCN because of the lack of ring-fencing?
- (d) In any of the subsequent projects in which TSPs were awarded CCNs to build CREZ projects, did TIEC recommend ring-fencing restrictions be imposed as a condition of approving the CCN? If not, why not?

**QUESTION NO. SEMPRA-TIEC 1-6**

Please refer to Section 3.13 of the Sharyland Holding, L.P. agreement. To TIEC’s knowledge, is any other transmission-only utility within the Electric Reliability Council of Texas subject to the following conditions:

- (a) Restrictions on cross-default provisions in the utility’s debt or credit instruments.
- (b) Restrictions on including ratings triggers or credit metrics in debt or credit documents.
- (c) Limitations on debt to be consistent with the utility’s debt to equity ratio.
- (d) Restrictions on the incurrence of debt related to investment in the utility.
- (e) Restrictions on the pledging of assets of the utility.
- (f) Restrictions on the sharing of credit facilities with affiliates or parents of the utility.
- (g) Restrictions on the issuance of dividends or distributions to a partner or parent as required by Section 3.13.10 of the LP Agreement.

**QUESTION NO. SEMPRA-TIEC 1-7**

Does any transmission-only utility operating in Texas operate under any components of the ring fence proposed by Mr. Griffey in Section VII of his testimony and Exhibit CSG-6? If so, please identify the utility and the specific provisions under which the utility is required to operate.

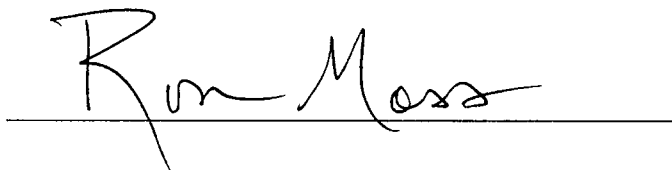


**QUESTION NO. SEMPRA-TIEC 1-8**

Does any other utility operating in Texas, including electric utilities, gas utilities, and water utilities, operate under any components of the ring fence proposed by Mr. Griffey in Section VII of his testimony and Exhibit CSG-6? If so, please identify the utility and the specific provisions under which the utility is required to operate.

## CERTIFICATE OF SERVICE

I certify that on the 19th day of March, 2019, a true and correct copy of the foregoing instrument was served on all parties of record by electronic service, hand delivery, Federal Express, regular first class mail, certified mail, or facsimile transmission.

A handwritten signature in cursive script that reads "Ron Moss". The signature is written in black ink and is positioned above a solid horizontal line that spans the width of the signature.