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APPLICATION OF CENTERPOINT  
ENERGY HOUSTON ELECTRIC, LLC  
FOR AUTHORITY TO CHANGE  
RATES §  
§  
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§

STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

**CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC's SECOND  
REQUEST FOR INFORMATION TO OFFICE OF PUBLIC UTILITY COUNSEL**

Pursuant to 16 Tex. Admin. Code § 22.144 and SOAH Order No. 2, CenterPoint Energy Houston Electric, LLC requests that Office of Public Utility Counsel provide, within four (4) days, the information requested.

Respectfully submitted,



Patrick H. Peters III  
Associate General Counsel and  
Director of Regulatory Affairs  
State Bar No. 24046622  
CenterPoint Energy Service Company, LLC  
1005 Congress Ave, Suite 650  
Austin Texas 78701  
512.397.3032  
512.397.3050 (fax)  
Patrick.peters@centerpointenergy.com

Mickey Moon  
Assistant General Counsel  
CenterPoint Energy, Inc.  
1111 Louisiana, 19<sup>th</sup> Floor  
Houston, Texas 77002  
713.207.7231  
713.454.7197 (fax)  
Mickey.moon@centerpointenergy.com

Coffin Renner LLP  
1011 West 31<sup>st</sup> Street  
Austin, Texas 78705  
512.879.0900  
512.879.0912 (fax)  
Ann.coffin@crtxlaw.com  
Mark.santos@crtxlaw.com

Andrea Moore Stover  
State Bar No. 24046924  
Jim Barkley  
State Bar No. 00787037  
Baker Botts, LLP  
98 San Jacinto, Suite 1500  
Austin, Texas 78701  
Telephone: 512.322.2695  
Facsimile: 512.322.3695  
Andrea.stover@bakerbotts.com  
James.barkley@bakerbotts.com

COUNSEL FOR CENTERPOINT  
ENERGY HOUSTON ELECTRIC, LLC

## **EXHIBIT A**

### **1. DEFINITION OF TERMS**

The singular herein includes the plural and vice versa; the words "and" and "or" shall be construed as "and/or" in order to bring all information within the scope of the Request. The words, "each," "all," and "any," mean "any and all" or "each and every."

"CenterPoint Houston" or "Company" means CenterPoint Energy Houston Electric, LLC.

"Communication" shall include all meetings, telephone calls, conversations, discussions, letters, memoranda, notes, and other forms of communication.

"Document" or "Documents" is used in the broadest sense possible and shall mean every writing or record of every type and description, such as drafts, corrections, memoranda, letters, tapes, stenographic or handwritten notes, studies, publications, work papers, books, pamphlets, diaries, desk calendars, interoffice communications, records, reports, analyses, bills, receipts, checks, check stubs, checkbooks, invoices, requisitions, papers and forms filed with a court or governmental body, notes, transportation and expense logs, work papers, contracts, statistical and financial statements, corporate records of any kind, charts, graphs, pictures, photographs, photocopies, films, voice recordings, and any other written, recorded or graphic material, however denominated, by whomever prepared, and to whomever addressed, which are in your possession, custody or control. The term "document" also includes all electronic and magnetic data, including e-mail. The term "document" includes all copies of every such writing or record that are not identical copies of the original or that contain any commentary, notes, or markings that do not appear on the original.

"Including" means "including but not limited to" and "including without limitation."

"Identify" means to state as much information as you now have or that is now subject to your control, or that you may hereafter come to have or that hereafter becomes subject to your control, including the following:

- a. when used in reference to a natural person, state the person's full name, title, present (or last known) address, telephone number, occupation, present business affiliation or employer, business address, and exact duties and responsibilities of such individual;
- b. when used in reference to an entity, state the full name of the company, organization, association, partnership, or other business enterprise; and
- c. when used in reference to a document, state the date and title of the document and, if already produced in this case, the Bates-number of such document.

"Relate" or "relating to" includes referring to, mentioning, reflecting, containing, pertaining to, evidencing, involving, describing, discussing, responding to, supporting, opposing, constituting or being a draft, copy or summary of, in whole or in part.

"You" and "Your" refers to Office of Public Utility Counsel, and any of the attorneys or law firms that purport to represent you in this case.

## II. INSTRUCTIONS

1. Each request herein extends to any documents or information in your possession and the possession of any of the attorneys or law firms that purport to represent you in this case.
2. Each and every non-identical copy of a document, whether different from the original because of indications of the recipient(s), handwritten notes, marks, attachments, marginalia, or any other reason, is a separate document that must be produced.
3. If you object to any portion of a request on the ground of privilege, answer the nonprivileged portion of the Request by providing such non-privileged information as is responsive.
4. If you object to any portion of a request on any ground other than privilege, you should still provide documents responsive to the remaining non-objectionable portion.
5. Separately for each request to which you object in whole or in part, describe in detail and itemize each basis of your objection.
6. If the basis of an objection to any request, or any portion thereof, is a statute, contract or other agreement, or any other obstacle to production that you claim is based in the law, please identify the basis of that purported obstacle with specificity.
7. Each request herein shall be construed independently, and no request shall be viewed as limiting the scope of any other request. Please indicate where any portion of your document production in response to a request has been covered in your production in response to another request, and please specify the request numbers at issue.
8. If you claim that any document responsive to any request is lost or destroyed, (a) identify and describe such document, (b) describe how the document was lost or destroyed, and (c) identify when the document was lost or destroyed.
9. If you claim that any documents responsive to any request are already in the possession of CenterPoint Houston, please identify the document with sufficient specificity to allow CenterPoint Houston to locate the document.
10. The requests shall be deemed continuing so as to require additional answers if, after answering such requests, you obtain information upon the basis of which you determine that the answer was incorrect when made, or you become aware that the answer, though correct when made, is no longer true, and the circumstances are such that failure to amend the answer is in substance a knowing concealment.
11. Any document that is withheld from production pursuant to a claim of attorneyclient, work product, party communication or investigative privilege shall be identified and shall be segregated and maintained for in camera submission, and a list identifying such withheld documents shall be furnished at the time and place of production. Such list shall state with respect to each document: (a) the privilege under which the document is being withheld; (b) a description of the type of document; (c) a description of the subject matter

and purpose of the document; (d) the date the document was prepared; (e) the author and/or signatory of the document; (f) the identity of the persons to whom the document was sent; and (g) the present custodian of the document.

12. As part of the response to each request for information, 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 preparation of the response. Please also state the name of the witness in this docket who will sponsor the answer to the request and may verify the truth of the response.

### III. REQUESTS FOR INFORMATION

- 2-1. Please provide references (jurisdiction, docket number, and date) for each proceeding in which Mr. Nalepa has previously testified regarding weather normalization. If any such testimony is not readily accessible online, please provide a copy.
- 2-2. With reference to Mr. Nalepa's testimony, Appendix A (Statement of Qualifications), please identify each of the positions listed under "Professional History" on Bates page 130 in which Mr. Nalepa was called upon to identify or calculate normal weather and identify the period (10 years, 20 years, 30 years, or some other period) used by Mr. Nalepa for that purpose.
- 2-3. Please refer to Mr. Nalepa's testimony, Appendix A (Statement of Qualifications), Bates page 131 (Areas of Expertise—Regulatory Analysis), in which he states that he has "[a]nalyzed electric utility rate . . . and resource forecast filings." Please identify each instance in which such analysis included the analysis of the period of years used to determine normal weather and, for each such instance, provide any written analysis prepared by Mr. Nalepa (or a reference to any such documents readily available online).
- 2-4. Please refer to Mr. Nalepa's testimony, Appendix A (Statement of Qualifications), Bates page 131 (Areas of Expertise—Regulatory Analysis), in which he states, "Also assist municipal utilities in preparing and defending requests to change rates and other regulatory matters before the Public Utility Commission." Please identify each instance in which such assistance included the analysis of the period of years used to determine normal weather and, for each such instance, provide any written analysis prepared by Mr. Nalepa (or a reference to any such documents readily available online).
- 2-5. Please refer to Mr. Nalepa's testimony, Appendix A (Statement of Qualifications), Bates page 132 (Areas of Expertise—Econometric Forecasting), in which he states that he "[p]repared econometric forecasts of peak demand and energy for municipal and electric cooperative utilities in support of system planning activities" and [d]eveloped forecasts at the rate class and substation levels." Please identify each instance in which such forecasts included a determination of normal weather and, for each such instance, identify the period (10 years, 20 years, 30 years, or some other period) used by Mr. Nalepa for that purpose and provide any written analysis prepared by Mr. Nalepa (or a reference to any such documents readily available online).
- 2-6. Please refer to Mr. Nalepa's testimony, Appendix A (Statement of Qualifications), Bates page 133 (Select Publications, Presentations, and Testimony). Please identify each of the listed publications, presentations, and testimony in which Mr. Nalepa discusses, analyzes, or makes recommendations regarding the proper period for determining normal weather and for each such instance, identify the period (10 years, 20 years, 30 years, or some other period) used or recommended by Mr. Nalepa for that purpose and provide a copy of the publication, presentation, or testimony (or a reference to any such documents readily available online).



- 2-7. Please refer to Mr. Nalepa's testimony, Appendix B (Previously Filed Testimony), Bates pages 134-142. Please identify each instance in which Mr. Nalepa's testimony discussed, analyzed, or made recommendations regarding the proper period for determining normal weather and for each such instance, identify the period (10 years, 20 years, 30 years, or some other period) used or recommended by Mr. Nalepa for that purpose. For any identified instance in which the testimony was before the Texas Railroad Commission, please provide a copy of the testimony.
- 2-8. Has Mr. Nalepa performed any study or analysis of the periods used by utilities or regulators in other states to determine normal weather? If so, please provide a copy of each such study or analysis or, if the results of the study or analysis were not reduced to writing, a description of the study or analysis, for whom it was conducted, how it was conducted, and Mr. Nalepa's conclusions.
- 2-9. Please refer to Mr. Nalepa's testimony at page 42 of 142, lines 2-3. Provide the data, research, and analysis conducted by Mr. Nalepa himself (other than the decisions quoted in his testimony) demonstrating that "the most recent 10 years of weather data is more representative of recent weather trends."

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on all parties of record in this proceeding pursuant to SOAH Order No. 2 on the 10<sup>th</sup> day of June 2019.

  
Andrea Moore Stover