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

BEFORE THE 2019 MAY -2 PM 2:25
STATE OFFICE OF
PUBLIC UTILITY COMMISSION
ADMINISTRATIVE HEARINGS

**OBJECTION OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC
TO GULF COAST COALITION OF CITIES' FIRST REQUEST FOR INFORMATION**

CenterPoint Energy Houston Electric, LLC ("CenterPoint Houston") received Gulf Coast Coalition of Cities' ("GCCC") First Request for Information ("RFI") on April 22, 2019. Counsel for CenterPoint Houston and GCCC negotiated diligently and in good faith but were unable to reach agreement concerning certain matters. Accordingly, CenterPoint Houston objects to the following RFIs on the grounds stated below. Pursuant to 16 Tex. Admin. Code § 22.144(d) (TAC), the deadline for objections to be filed is May 2, 2019; thus, these objections are timely filed. CenterPoint Houston continues to negotiate with GCCC on these RFIS, and to the extent that any agreement is subsequently reached, CenterPoint Houston will withdraw its objections.

I. SPECIFIC OBJECTIONS

GCCC 1-14

Please provide copies of all internal documentation or reports describing the current or potential cost savings or allocation percentage changes to the CenterPoint Energy Service Company, LLC's affiliates, including CEHE, related to the integration of Vectren.

CenterPoint Houston's Objection

CenterPoint Houston objects to this request to the extent it seeks privileged work product that is protected from discovery under the Texas Rules of Civil Procedure.¹ Privileged work product includes material prepared or mental impressions developed in anticipation of litigation by a party's representatives, including the party's attorneys, consultants, employees and agents.² Privileged work product also includes communications made in anticipation of litigation between a party and the party's representatives or among a party's representatives, including the party's attorneys, consultants, employees and agents.³ Some of the privileged work product materials are attorney core work product. Pursuant to Tex. R. Civ. Proc. 192.5(b)(1), "the work product of an

¹ Tex. R. Civ. Proc. 192.5(b).

² Tex. R. Civ. Proc. 192.5(a)(1).

³ Tex. R. Civ. Proc. 192.5(a)(2).

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attorney or an attorney's representative that contains the attorney's or the attorney's representative's mental impressions, opinions, conclusion, or legal theories—is not discoverable.”⁴

CenterPoint Houston also objects to this request to the extent that it seeks information that is protected from discovery by the attorney-client privilege, which consists of confidential communications made to facilitate the rendition of professional legal services to CenterPoint Houston.⁵

Tex. R. Civ. Proc. 193.2(f) states that a party should not object to a request for written discovery on the grounds that it calls for production of material that is privileged but instead should comply with Rule 193.3, which includes specific instructions for asserting a privilege. However, the Commission's rules may require an objection in this instance and, thus, out of an abundance of caution, CenterPoint Houston hereby files these objections. Consistent with 16 TAC § 22.144(d)(2), CenterPoint Houston will provide a privilege log within two working days of the filing of this objection.

CenterPoint Houston also objects on the basis that the request is overly broad and unduly burdensome.⁶ Given the scope of the RFI, which seeks “all internal documentation,” and the size of the Company, there are a massive number of potentially responsive documents. The burden of compiling and reviewing such a response is outweighed by its likely benefit because the relevant information can be sought through a more narrowly tailored request. Subject to those objections, CenterPoint Houston will provide responsive documents.

II. CONCLUSION

For the reasons discussed herein, CenterPoint Houston respectfully requests that its objections to GCCC 1-14 be sustained and that CenterPoint Houston be granted such other relief to which it has shown itself entitled.

⁴ See also *In re Bexar County Criminal Dist. Attorney's Office*, 224 S.W.3d 182, 187-88 (Tex. 2007) (stating that core work product is “sacrosanct” and that its “protection [is] impermeable”).

⁵ Tex. R. Civ. Evid. 503(b); *Maryland Am. Gen. Ins. Co. v. Blackmon*, 639 S.W.2d 455, 458 (Tex. 1982) (stating that the purpose of the attorney-client privilege is to “promote the unrestrained communications between an attorney and client in matters where the attorney's advice and counsel were sought by ensuring that these communications will not be subject to subsequent disclosure”).

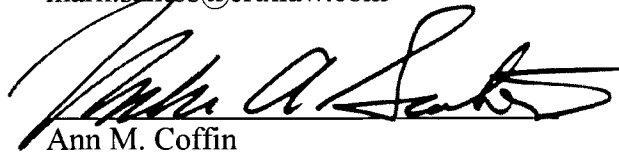
⁶ Tex. R. Civ. Proc. 192.4.

Respectfully submitted,

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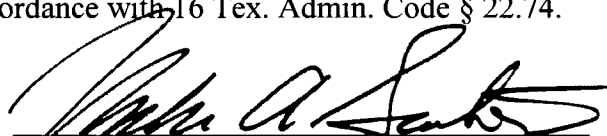
A handwritten signature in black ink, appearing to read "Ann M. Coffin", written over a horizontal line.

Ann M. Coffin
State Bar No. 00787941
Mark A. Santos
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**COUNSEL FOR CENTERPOINT ENERGY
HOUSTON ELECTRIC, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May 2019, a true and correct copy of the foregoing document was served on all parties of record in accordance with 16 Tex. Admin. Code § 22.74.


Mark A. Santos