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SOAH DOCKET NO. 473-19-4421
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APPLICATION OF AEP TEXAS INC. §
FOR AUTHORITY TO CHANGE §
RATES §

BEFORE THE
STATE OFFICE OF
ADMINISTRATIVE HEARINGS

2019 JUN 19 PM 2:23

AEP TEXAS INC.'S FIRST SUPPLEMENTAL PRIVILEGE INDEX

AEP Texas Inc. (AEP Texas) provides the attached supplemental privilege index, marked as Exhibit A, prepared in accordance with 16 Tex. Admin. Code (TAC) § 22.144(d)(2) for privileged information that is responsive to Request for Information (RFI) No. 6-23 in the Sixth Set of RFIs from Cities Served by AEP Texas (Cities). This index is timely filed within two working days of the filing of AEP Texas' first supplemental objections to Cities' Sixth Set of RFIs as required by 16 TAC § 22.144(d)(2). The privileged documents that have been withheld from production subject to the outcome of AEP Texas' June 19, 2019 supplemental objection are identified as Item Nos. 9-10 on the attached supplemental privilege index. In addition, the attached supplemental privilege index includes additional information regarding previously withheld documents that AEP Texas has obtained since the filing of its June 10, 2019 privilege index. All supplemental information provided on the attached privilege index is redlined.

To date, AEP Texas has not identified any privileged documents other than the materials identified on the attached supplemental privilege index. AEP Texas understands that it is under a continuing obligation to supplement discovery responses. If AEP Texas identifies any additional privileged documents, it will provide a supplemental privilege index at that time.

Respectfully submitted,

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By: _____

ATTORNEYS FOR AEP TEXAS INC.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served on all parties of record by electronic mail, facsimile, hand-delivery, overnight delivery, or First Class U.S. Mail on June 19, 2019, pursuant to SOAH Order No. 2.

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Patrick J. Pearsall

Exhibit A

Item No.	RFI No.	Bates Nos.	Document Title (Date)	Preparer/Custodian	Recipients	Privilege Claimed	Explanation
1.	Cities' 6-23	1-5	PWC Letter (2/9/18)	DWMR Opinion Committee; ¹ Jamie McNally (DWMR); <u>John Williams (DWMR)</u>	Michael A. Herman (PriceWaterhouse Coopers LLP); Rhonda Ryan (AEP – Associate General Counsel); <u>Raul Pina (PriceWaterhouse Coopers LLP)</u>	Attorney-Client; Work Product	DWMR opinion letter addressing accounting and ratemaking treatment of accumulated deferred federal income tax (ADFIT) associated with securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
2.	Cities' 6-23	6-10	DRAFT DWMR Audit Opinion 2.9.18 (cc Mitchell) (2/9/18)	DWMR Opinion Committee; Jamie McNally (DWMR)	Thomas Mitchell (AEP); <u>Rhonda Ryan (AEP – Associate General Counsel)</u> ; <u>Randy Hamlett (AEP)</u>	Attorney-Client; Work Product	Draft DWMR opinion letter addressing accounting and ratemaking treatment of ADFIT associated with securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
3.	Cities' 6-23	11-15	DRAFT DWMR Audit Opinion 2.9.18 (cc	DWMR Opinion Committee; Jamie McNally (DWMR)	Rhonda Ryan (AEP – Associate General Counsel); <u>Thomas Mitchell</u>	Attorney-Client; Work Product	Draft DWMR opinion letter addressing accounting and ratemaking treatment of ADFIT associated with

¹ At all times relevant to the items identified on this index, the DWMR Opinion Committee included the following attorneys: Don Lewis, Kerry McGrath, Leonard Woods, Marnie McCormick, Patrick Pearsall, and Robert Linkin.

			Ryan) (2/9/18)		(AEP); Randy Hamlett (AEP)		securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
4.	Cities' 6-23	16-18	Memo re Securitization- Related Excess Adfit 2.5.18 (2/5/18)	Jamie McNally (DWMR)	Rhonda Ryan (AEP – Associate General Counsel); Thomas Mitchell (AEP); Randy Hamlett (AEP)	Attorney- Client; Work Product	Memorandum addressing accounting and ratemaking issues involving ADFIT associated with securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
5.	Cities' 6-23	19-25	Excess ADFIT memo 1.10.18 (1/10/18)	Jamie McNally (DWMR)	Randy Hamlett (AEP); Rhonda Ryan (AEP – Associate General Counsel);	Attorney- Client; Work Product	Draft memorandum addressing accounting and ratemaking issues involving ADFIT associated with securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
6.	Cities' 6-23	26-32	Excess ADFIT memo 1.10.18 REDLINED (1/10/18)	Jamie McNally (DWMR)	Rhonda Ryan (AEP – Associate General Counsel); Randy Hamlett (AEP)	Attorney- Client; Work Product	Draft memorandum addressing accounting and ratemaking issues involving ADFIT associated with

Exhibit A

							securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
7.	Cities' 6-23	33-39	Excess ADFIT memo 2018-01-18 (1/18/18)	Jamie McNally (DWMR)	Rhonda Ryan (AEP – Associate General Counsel); <u>PricewaterhouseCoopers LLP Auditors</u>	Attorney-Client; Work Product	Draft memorandum addressing accounting and ratemaking issues involving ADFIT associated with securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
8.	Cities' 6-23	40-46	REDLINED Excess ADFIT memo 2018-01-18 (1/18/18)	Jamie McNally (DWMR)	Rhonda Ryan (AEP – Associate General Counsel); <u>Thomas Mitchell (AEP)</u>	Attorney-Client; Work Product	Draft memorandum addressing accounting and ratemaking issues involving ADFIT associated with securitized amounts. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.
9.	<u>Cities' 6-23</u>	<u>47-49</u>	<u>Request Assigned, AEP Texas Securitization Letter from</u>	<u>Randy Hamlett (AEP)</u>	<u>Jamie McNally (DWMR); Rhonda Ryan (AEP – Associate General Counsel); Thomas Mitchell</u>	<u>Attorney-Client;</u>	<u>Email communications concerning DWMR opinion letter addressing accounting and ratemaking issues.</u>

Exhibit A

			<u>External Counsel</u>		<u>(AEP); Raul Pina (PriceWaterhouse Coopers LLP)</u>		<u>involving ADFIT associated with securitized amounts.</u>
<u>10.</u>	<u>Cities' 6-23</u>	<u>50</u>	<u>ADFIT Opinion</u>	<u>Jamie McNally (DWMR)</u>	<u>Rhonda Ryan (AEP – Associate General Counsel); Thomas Mitchell (AEP); Randy Hamlett (AEP); David Gilliland (DWMR)</u>	<u>Attorney-Client; Work Product</u>	<u>Email communications concerning DWMR opinion letter addressing accounting and ratemaking issues. Prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.</u>