



Control Number: 49634



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**P.U.C. DOCKET NO. 49634
SOAH DOCKET NO. 473-19-6767**

PETITION TO REVOKE THE RETAIL ELECTRIC PROVIDER CERTIFICATE OF AXON POWER & GAS, LLC	§ § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**RESPONSE OF ONCOR ELECTRIC DELIVERY COMPANY LLC
TO COMMISSION STAFF'S
FIRST REQUEST FOR INFORMATION**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

Oncor Electric Delivery Company LLC (Oncor) files this Response to the
aforementioned requests for information.

**I.
Written Responses**

Attached hereto and incorporated herein by reference are Oncor's written
responses to the aforementioned requests for information. Each such response is set
forth on or attached to a separate page upon which the request has been restated.
Such responses are also made without waiver of Oncor's right to contest the
admissibility of any such matters upon hearing. Oncor hereby stipulates that its
responses may be treated by all parties exactly as if they were filed under oath.

**II.
Inspections**

In those instances where materials are to be made available for inspection by
request or in lieu of a written response, the attached response will so state. For those
materials that a response indicates may be inspected at the Austin voluminous room,
please call at least 24 hours in advance for an appointment in order to assure that there
is sufficient space and someone is available to accommodate your inspection. To make
an appointment at the Austin voluminous room, located at 1005 Congress, Suite B-50,
Austin, Texas, or to review those materials that a response indicates may be inspected
at their usual repository, please call Teri Smart at 214-486-4832. Inspections will be

scheduled so as to accommodate all such requests with as little inconvenience to the requesting party and to company operations as possible.

Respectfully submitted,

Oncor Electric Delivery Company LLC

By: Howard V. Fisher

Howard V. Fisher

State Bar No. 07051500

Oncor Electric Delivery Company LLC

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**ATTORNEY FOR ONCOR ELECTRIC
DELIVERY COMPANY LLC**

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been served via either overnight delivery, certified mail return receipt requested, regular mail, electronic means, and/or fax on all parties of record in this proceeding on this the 6th of November, 2019.

Howard V. Fisher

Request

Please disclose whether Axon Power & Gas, LLC (Axon) is currently delinquent to Oncor under section 4.4.6 of its tariff. If so, please disclose the number of days delinquent, the amount invoiced, and the date of the invoice.

Response

The following response was prepared or under the direct supervision of Chris Rowley.

The following information is provided in accordance with the agreement of the requesting party in lieu of the requested information. The information, as agreed to be provided, consists of the data provided in the attachments to Oncor's response to Staff RFI Set 1, Question No. 1-03.

Yes, as of October 31, 2019. For additional information requested, please see Oncor's response to Staff RFI Set 1, Question No. 1-03.

Request

Please disclose whether Axon is currently in default currently in default with Oncor under section 4.6.1 of its tariff. If so, please disclose the number of days in default, the amount invoiced, and the date of the invoice.

Response

The following response was prepared or under the direct supervision of Chris Rowley.

The following information is provided in accordance with the agreement of the requesting party in lieu of the requested information. The information, as agreed to be provided, consists of the data provided in the attachments to Oncor's response to Staff RFI Set 1, Question No. 1-03.

Yes, as of October 31, 2019. For additional information requested, please see Oncor's response to Staff RFI Set 1, Question No. 1-03.

Request

Please disclose in spreadsheet format the following information for every delinquent payment made by Axon to Oncor: date of invoice, date of payment, number of days delinquent, whether the delinquency became a default, the number of days in default (if applicable), and the amount invoiced.

Response

The following response was prepared or under the direct supervision of Chris Rowley.

The following information is provided in accordance with the agreement of the requesting party in lieu of the requested information. The information, as agreed to be provided, consists of the data provided in the attachments to this response.

The information requested is confidential and will be made available only after execution of a certification to be bound by the protective order in this docket. An index of the confidential information is included as Attachment 1.

ATTACHMENT:

ATTACHMENT 1 – Non-Voluminous Confidential Index, 1 page.

Non-Voluminous Confidential Index

1. Axon Balance Spreadsheet, 64 pages.
2. Axon LLC Balance Spreadsheet, 28 pages.

Request

Please identify and describe all remedies that Oncor has ever pursued against Axon under section 4.6.2 of the Tariff.

Response

The following response was prepared or under the direct supervision of Chris Rowley.

Under Section 4.6.2.1(2) of Oncor's Tariff, Oncor is allowed to "[a]vail itself of any legal remedies that may be appropriate to recover unpaid amounts and associated penalties or interest ..." Oncor Tariff Section 4.5.2.1 provides "[i]f a Competitive Retailer has defaulted under Section 4.6 within the past 24 months, Company shall require the Competitive Retailer to provide a deposit as security for payments of amounts billed under this Tariff." When Axon defaulted earlier this year, Oncor obtained a deposit, in the form of a surety bond, in an amount authorized by Tariff Section 4.5.2.2.

Request

Please provide a copy of all correspondence between Oncor and Axon regarding delinquent and default amounts owed.

Response

The following response was prepared or under the direct supervision of Chris Rowley.

The following information is provided in accordance with the agreement of the requesting party in lieu of the requested information. The information, as agreed to be provided, consists of: (1) a sample of the standard correspondence Oncor provided to Axon when it was delinquent or in default; and (2) other correspondence between Oncor and Axon that was substantive in nature, and which therefore excludes normal correspondence concerning proper recognition and accounting of payments made.

The information requested is voluminous and confidential and will be made available only after execution of a certification to be bound by the protective order in this docket. An index of the confidential information is included as Attachment 1. A courtesy copy is being provided to the propounding party.

ATTACHMENT:

ATTACHMENT 1 – Voluminous Confidential Index, 1 page.

Voluminous Confidential Index

1. A sample of the standard correspondence Oncor provided to Axon when it was delinquent or in default, 45 pages.
2. Other correspondence between Oncor and Axon that was substantive in nature, and which therefore excludes normal correspondence concerning proper recognition and accounting of payments made, 65 pages.

Request

Please provide any additional information regarding Axon that Oncor believes Staff should consider in this case.

Response

The following response was prepared or under the direct supervision of Chris Rowley.

Axon cured the original May 13, 2019 and May 16, 2019 payment defaults on June 7, 2019 and then cured the security default with the posting of a surety bond on July 16, 2019. Axon entered into payment default status again on September 20, 2019 and has remained in that status as of October 31, 2019.

Mr. Ali met with Oncor in person in June and October 2019 to provide personal and business updates. Additionally, Mr. Ali has participated in weekly joint conference calls with AEP Texas and Oncor to provide payment status updates. Axon's book of customers was sold September 2019 and final switching of all Oncor's ESI IDs was completed on October 1, 2019.