



Control Number: 49737



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SOAH DOCKET NO. 473-19-6862
PUC DOCKET NO. 49737

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**APPLICATION OF SOUTHWESTERN §
ELECTRIC POWER COMPANY FOR § BEFORE THE STATE OFFICE
CERTIFICATE OF CONVENIENCE §
AND NECESSITY AUTHORIZATION §
AND RELATED RELIEF FOR THE §
ACQUISITION OF WIND §
GENERATION FACILITIES §** OF ADMINISTRATIVE HEARINGS

**SOUTHWESTERN ELECTRIC POWER COMPANY’S FIRST SET OF REQUESTS
FOR INFORMATION TO TEXAS INDUSTRIAL ENERGY CONSUMERS**

TO: Texas Industrial Energy Consumers, by and through its attorney of record, Mr. Rex VanMiddlesworth, 98 San Jacinto Blvd., Suite 1900, Austin, Texas 78701

Southwestern Electric Power Company (SWEPCO or Company) requests that Texas Industrial Energy Consumers (TIEC) provide the following information and answer the following questions under oath within the time provided by Public Utility Commission of Texas (Commission) rules and/or applicable orders, or sooner if practicable. The answers should be provided in sufficient detail to present all relevant facts. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. For each response, please state the Request for Information and identify the individuals responsible for preparing and sponsoring the response by name and title.

For any responses that require the use of or reference to information previously provided by the Company in this case that has been designated “Confidential” or “Highly Sensitive” material, please provide responses in accordance with the terms of the Protective Order and the Commission’s Rules relating to “Confidential” and “Highly Sensitive” materials. See 16 Tex. Admin. Code (TAC) § 22.142.

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This is a request to fully respond to the attached RFIs and to produce any of the designated documents or tangible things that are described in the attached RFIs. Production of responses to the designated Requests should be made to:

Respectfully Submitted,

Rhonda Colbert Ryan
State Bar No. 17478800
400 West 15th Street, Suite 1520
Austin, Texas 78701
**AMERICAN ELECTRIC POWER SERVICE
CORPORATION**

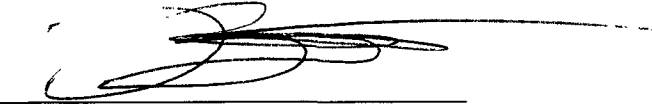
William Coe
State Bar No. 00790477
Kerry McGrath
State Bar No. 13652200
DUGGINS WREN MANN & ROMERO, LLP
600 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 744-9300
(512) 744-9399 (fax)
wcoe@dwmrlaw.com
kmcgrath@dwmrlaw.com

By:


William Coe
**ATTORNEYS FOR SOUTHWESTERN
ELECTRIC POWER COMPANY**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served by electronic mail, facsimile, hand-delivery, overnight delivery, or 1st Class U.S. Mail on all parties of record in this proceeding on January 21, 2020.


William Coe

DEFINITIONS AND INSTRUCTIONS

1. A reference to “SWEPCO” or the “Company” shall mean Southwestern Electric Power Company.
2. Any reference to “TIEC” shall mean the Texas Industrial Energy Consumers.
3. The term “Commission” refers to the Public Utility Commission of Texas.
4. Reference to “you” or “your” means all divisions, departments, bureaus, or agencies of the party served, and all witnesses whose testimony the respective party to which this Request is submitted intends to present to the Public Utility Commission of Texas, and all persons acting or purporting to act for or on behalf of the respective party, including all staff, employees, agents, representatives, attorneys, consultants, economists, engineers, and accountants.
5. The term “information” includes all documents and communications.
6. The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the requests inclusive rather than exclusive.
7. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”
8. “Document” or “documents” is intended to be comprehensive and shall mean every original (or an identical copy if the original is unavailable) and every copy which differs in any way from the original of every writing, recording (e.g., photograph, videotape, audiotape), or other tangible expression, whether handwritten, typed, drawn, sketched, printed, or recorded by any physical, mechanical, electronic, or electrical means whatsoever, and shall be construed to the fullest extent of the P.U.C. Procedural Rules and the Texas Rules of Civil Procedure, and shall include, without limitation all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, financial statements, work sheets, workpapers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants’ reports, appraisals, bulletins, brochures,

pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing) and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, electronically-stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made.

9. "Person" means any natural person, firm, association, partnership, joint venture, corporation, estate, trust, receiver, syndicate, municipal corporation, government agency, any other form of legal entity, and other group or combination acting as a unit.
10. "Relating to" a subject means making a statement about, mentioning, referring to, discussing, describing, reflecting, identifying, dealing with, consisting of, constituting or in any way pertaining, in whole or in part, to the subject.
11. The words "communication" or "communications" include any verbal conversations or any other statement from one person to another, including but not limited to, any interview, conference, conversation, discussion, meeting or telephone conversation.
12. "Identify" means:
 - a. as to a "person," stating his, her or its:
 - (i) legal, full and customarily used names;
 - (ii) present residential or business address;
 - (iii) job title; and
 - (iv) name of employer.
 - b. as to a document, act, event, transaction or occurrence, stating:
 - (i) its date, authors or participants;
 - (ii) the place where it took place, was created or occurred;
 - (iii) its purpose and subject matter; and
 - (iv) a concise description of what transpired.

13. “Including” means and refers to “including but not limited to.”
14. 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.
15. For each response, please restate the RFI and identify the individual(s) responsible for preparing and sponsoring the response by name and title.
16. For each document produced that is generated by computer, please identify:
 - a. the nature and source of the data constituting the input;
 - b. the form of the input (*e.g.*, tapes, punch cards);
 - c. the recording system employed (*e.g.*, program, flow charts); and
 - d. the person(s) responsible for processing the input and/or performing the programming.
17. If the response to any request is voluminous, please provide a detailed index of the voluminous material, pursuant to 16 TAC § 22.144(h)(4).
18. If the information requested was included in previously furnished exhibits, schedules, work papers, responses to other discovery inquiries, or otherwise, in hard copy or electronic format, please furnish specific references to the previously furnished materials, including Bates Stamp page citations and detailed cross-references.
19. If, in answering any of these requests, there is any ambiguity in interpreting either the request or a definition or instruction applied thereto, please contact SWEPCO’s attorneys, William Coe or Kerry McGrath at (512) 744-9300.
20. If an RFI calls for production of a document that was, but is no longer, in your possession, or subject to your control, or in existence, state whether it:
 - a. is missing or lost;
 - b. has been destroyed;
 - c. has been transferred, voluntarily or involuntarily to others; or
 - d. has been otherwise disposed of; and in each instance, explain the facts concerning how the document became unavailable; state the date or approximate date of the unavailability; the contents of the document; and the person who authorized the transfer, destruction or other disposition of said document. Documents prepared prior to, but which relate to or refer to, the time period covered by these RFIs are to be identified.

21. If you decline 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 privilege is justified.

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**SOUTHWESTERN ELECTRIC POWER COMPANY'S FIRST SET OF REQUESTS
FOR INFORMATION TO TEXAS INDUSTRIAL ENERGY CONSUMERS**

- 1-1** Please refer to page 18, lines 11 through 13, of the direct testimony of Jeffry Pollock. Please provide all bases for the allegation that the EIA High Oil and Gas Technology Case has been the “most accurate” of the EIA scenarios.
- 1-2** Over what time period does Mr. Pollock believe that the High Oil and Gas Technology Case has been the “most accurate” of the EIA scenarios?
- 1-3** Does Mr. Pollock believe that the High Oil and Gas Technology will be the “most accurate” of the EIA scenarios for the full 30-year term depicted on his Exhibit JP-1? If so, please provide a complete explanation why. If not, please provide a complete explanation why not.
- 1-4** Please provide a copy of all third-party natural gas price forecasts published or developed in the last five years that are in Mr. Pollock’s or Mr. Griffey’s possession, custody, or control, including an identification of the person or organization that developed the forecast and the vintage of the forecast.
- 1-5** Please refer to page 20, lines 3 through 7 of the direct testimony of Jeffry Pollock and the statement that NYMEX futures contracts are highly liquid in the near term. Please define the terms “highly liquid” and “near term” in this statement.
- 1-6** Please refer to page 20, lines 19 through 20, of the direct testimony of Jeffry Pollock and the statement that futures contract prices “represent actual transactions between buyers and sellers who put real money at risk in their day-to-day operations.” How many actual transactions between buyers and sellers are reflected in each year of the “NYMEX Futures 30 day end Jan 7” depicted on Mr. Pollock’s Exhibit JP-1?
- 1-7** Please explain how NYMEX developed the futures contract prices for time periods in which there were no actual contracts between buyers and sellers for the NYMEX futures prices depicted on Mr. Pollock’s Exhibit JP-1.
- 1-8** Please provide Mr. Pollock’s methodology for developing and full justification of the continuation of NYMEX futures values from 2031 through 2048 on his Exhibit JP-1.
- 1-9** Please identify all electric utilities known to Mr. Pollock or Mr. Griffey that use 30-year trended NYMEX futures prices, such as developed by Mr. Pollock for his Exhibit JP-1, for system planning purposes. In each instance known to Mr. Pollock or Mr. Griffey, please provide evidence of such use.

- 1-10** Please identify all utilities known to Mr. Pollock or Mr. Griffey that use NYMEX futures in their system planning forecasts in any fashion and an explanation of how each identified utility uses them in its forecasts.
- 1-11** Pursuant to Commission Procedural Rule 16 TAC § 22.103(b), please provide a list of TIEC members participating in this docket.