

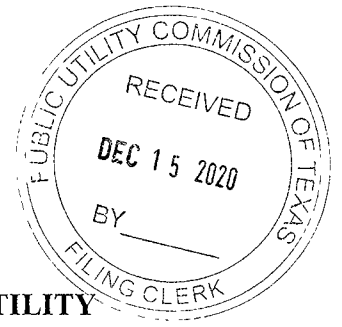


Control Number: 51415



Item Number: 110

Addendum StartPage: 0



**SOAH DOCKET NO. 473-21-0538  
PUC DOCKET NO. 51415**

**APPLICATION OF SOUTHWESTERN )  
ELECTRIC POWER COMPANY FOR )  
AUTHORITY TO CHANGE RATES )  
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)  
)  
)  
)** **BEFORE THE PUBLIC UTILITY  
COMMISSION OF TEXAS  
  
REFERRED TO THE STATE OFFICE  
OF ADMINISTRATIVE HEARINGS**

**SIERRA CLUB’S FIRST SET OF REQUESTS FOR INFORMATION TO  
SOUTHWESTERN ELECTRIC POWER COMPANY**

Sierra Club submits this First Set of Requests for Information (“RFI”) to Southwestern Electric Power Company (“SWEPCO”). Under 16 TAC §§ 22.141-145, Sierra Club requests that SWEPCO provide the following information and answer the following questions under oath. Please answer the questions and sub-questions in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the question. These question(s) 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. Please state the name of the witness in this cause who will sponsor the answer to the question.

Responses to the RFIs should be served on the following individuals within twenty (20) days of service, or by January 3, 2021, or as modified by order in this case:

Joshua Smith  
Tony Mendoza  
Dru Spiller  
Sierra Club Environmental Law Program  
2101 Webster St., Suite 1300  
Oakland, CA 94612  
joshua.smith@sierraclub.org  
tony.mendoza@sierraclub.org  
dru.spiller@sierraclub.org

110

## DEFINITIONS

Unless otherwise specified in each individual interrogatory or request, “you,” “your,” the “Company,” or “SWEPCO,” refers to Southwestern Electric Power Company, and its affiliates, directors, officers, employees, consultants, attorneys, and authorized agents.

“And” and “or” shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of these interrogatories and requests for production of documents any information which might be deemed outside their scope by another construction.

“Any” means all, each and every example of the requested information.

“Communication” means any transmission or exchange of information between two or more persons, whether orally or in writing, and includes, without limitation, any conversation or discussion by means of letter, telephone, note, memorandum, telegraph, telex, telecopy, cable, email, or any other electronic or other medium.

“Control” means, without limitation, that a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof. If a document is responsive to a request, but is not in your possession or custody, identify the person with possession or custody. If any document was in your possession or subject to your control, and is no longer, state what disposition was made of it, by whom, the date on which such disposition was made, and why such disposition was made.

“Document” refers to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software, and includes all copies, drafts, proofs, both originals and copies either (1) in the possession, custody or control of the Company regardless of where located, or (2) produced or generated by, known to or seen by the Company, but now in their possession, custody or control, regardless of where located whether or still in existence. Such “documents” shall include, but are not limited to, applications, permits, monitoring reports, computer printouts, contracts, leases, agreements, papers, photographs, tape recordings, transcripts, letters or other forms of correspondence, folders or similar containers, programs, telex, TWX and other teletype communications,

memoranda, reports, studies, summaries, minutes, minute books, circulars, notes (whether typewritten, handwritten or otherwise), agenda, bulletins, notices, announcements, instructions, charts, tables, manuals, brochures, magazines, pamphlets, lists, logs, telegrams, drawings, sketches, plans, specifications, diagrams, drafts, books and records, formal records, notebooks, diaries, registers, analyses, projections, email correspondence or communications and other data compilations from which information can be obtained (including matter used in data processing) or translated, and any other printed, written, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated or made. For purposes of the production of “documents,” the term shall include copies of all documents being produced, to the extent the copies are not identical to the original, thus requiring the production of copies that contain any markings, additions or deletions that make them different in any way from the original.

“Identify” means:

- a. With respect to a person, to state the person’s name, address and business relationship (e.g., “employee”) vis-à-vis the Company;
- b. With respect to a document, to state the nature of the document in sufficient detail for identification in a request for production, its date, its author, and to identify its custodian. If the information or document identified is recorded in electrical, optical or electromagnetic form, identification includes a description of the computer hardware or software required to reduce it to readable form.

“Person” means, without limitation, every natural person, corporate entity, partnership, association (formal or otherwise), joint venture, unit operation, cooperative, municipality, commission, governmental body or agency.

“Relating to” or “concerning” means and includes pertaining to, referring to, or having as a subject matter, directly or indirectly, expressly or implied, the subject matter of the specific request.

“Workpapers” are defined as original, electronic, machine-readable, unlocked, unlocked, in native format, and with formulae and links intact.

## INSTRUCTIONS

1. The Definitions, Instructions, and Claim of Privilege set out in this Request for Information apply to these questions.
2. In answering these questions, furnish all information that is available to you, including information in the possession of your agents, employees, and representatives, all others from whom you may freely obtain it, and your attorneys and their investigators.
3. Please answer each question based upon your knowledge, information, or belief, and any answer that is based upon information or belief should state that it is given on that basis.
4. If you have possession, custody, or control (as defined by Tex. R. Civ. P. 192.7(b)) of the originals of these documents requested, please produce the originals or a complete copy of the originals and all copies that are different in any way from the original, whether by interlineation, receipt stamp, or notation.
5. If you do not have possession, custody, or control of the originals of the documents requested, please produce copies of the documents, however made, in your possession, custody, or control. If any document requested is not in your possession or subject to your control, please explain why not, and give the present location and custodian of any copy or summary of the document.
6. If any question appears confusing, please request clarification from the undersigned counsel.
7. In providing your responses, please start each response on a separate page and type, at the top of the page, the question that is being answered.
8. As part of the response to each question, 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 preparing of the answer. If the question has sub-parts, please identify the person or persons by sub-part. Please also state the name of the witness in this docket who will sponsor the answer to the question and who can vouch for the truth of the answer. If the question has sub-parts, please identify the witness or witnesses by sub-part.

9. Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.

10. Wherever the response to a request for information consists of a statement that the requested information is already available to Sierra Club, please provide a detailed citation to the document that contains the information. The citation shall include the title of the document, relevant page number(s), and to the extent possible paragraph number(s) and/or chart(s)/table(s)/figure number(s).

11. In the event that any document referred to in response to any request for information has been destroyed, specify the date and the manner of such destruction, the reason for such destruction, the person authorizing the destruction and the custodian of the document at the time of its destruction.

12. These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer between the time of your original response and the time of the hearings, then you should submit, under oath, a supplemental response to your earlier answer.

13. If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please call the undersigned counsel as soon as possible in order to discuss the situation and to try to resolve the problem. Likewise, if you object to any of the questions on the grounds that the question seeks confidential information, or on any other grounds, please call the undersigned counsel as soon as possible.

14. If the response to any question is voluminous, please provide separately an index to the materials contained in the response.

15. If the information requested is included in previously furnished exhibits, workpapers, or responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references.

16. Data should be provided in native electronic format including active EXCEL workbooks and all linked workbooks, with all formulas, cell references, links, etc., intact, functioning, and complete for all tables, figures, and attachments in the testimony.

17. To the extent that a question asks for the production of copyrighted material, it is sufficient to provide a listing of such material, indicating the title, publisher, author, edition, and page references relied on or otherwise relevant to the question.

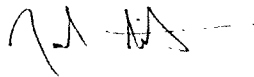
18. Sierra Club reserves the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

**PRIVILEGE**

If you claim a privilege including, but not limited to, the attorney-client privilege or the work product doctrine, as grounds for not fully and completely responding to any request for information or request for production, describe the basis for your claim of privilege in sufficient detail so as to permit meaningful evaluation of the validity of the claim. With respect to documents for which a privilege is claimed, produce a “privilege log” that identifies the author, recipient, date and subject matter of the documents or interrogatory answers for which you are asserting a claim of privilege and any other information pertinent to the claim that would likewise enable evaluation of the validity of such claims.

Dated this 14<sup>th</sup> day of December, 2020.

Respectfully submitted,



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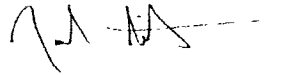
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*Counsel for Sierra Club*

### **CERTIFICATE OF SERVICE**

I, Joshua Smith, certify that a copy of the foregoing Sierra Club submission was served upon all parties of record in this proceeding on December 14, 2020, by First-class U.S. mail, hand delivery, and/or e-mail, as permitted by the presiding officer.



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Joshua Smith  
Senior Attorney  
Sierra Club Environmental Law Program



**EXHIBIT A**

**SOAH DOCKET NO. 473-21-0538**

**PUC DOCKET NO. 51415**

<b>APPLICATION OF SOUTHWESTERN )</b>	<b>BEFORE THE PUBLIC UTILITY</b>
<b>ELECTRIC POWER COMPANY FOR )</b>	<b>COMMISSION OF TEXAS</b>
<b>AUTHORITY TO CHANGE RATES )</b>	
)	<b>REFERRED TO THE STATE OFFICE</b>
)	<b>OF ADMINISTRATIVE HEARINGS</b>

**SIERRA CLUB’S FIRST SET OF REQUESTS FOR INFORMATION TO  
SOUTHWESTERN ELECTRIC POWER COMPANY**

- 1.1. Provide all SWEPCO responses to requests for information from all parties in this proceeding.
- 1.2. To the extent not already provided, provide all public and confidential exhibits, testimony, and workpapers included in the Company’s application in non-redacted, electronic versions.
- 1.3. For each of the Company’s coal- or solid-fuel units (Dolet Hills, Flint Creek, Pirkey, Turk, and Welsh), please identify the amount of money that SWEPCO has included in the Company’s Test Year spending as proposed in this case, by the following types:
  - a. Operations & Maintenance.
  - b. Capital
  - c. Fuel
  - d. Other (please specify)
- 1.4. For each Test Year capital expenditure of more than \$1 million at the Company’s coal or solid-fuel units (Dolet Hills, Flint Creek, Pirkey, Turk, and Welsh), please:
  - a. Describe the reason for the expenditure.
  - b. For Flint Creek and Welsh, state whether the Company studied if the expenditure would be necessary if the plant were to retire before to December 31, 2025. If the expenditure would still be necessary, explain why.
  - c. For Flint Creek and Welsh, state whether the Company studied if the expenditure would be necessary if the plant were to retire before to December 31, 2028. If the expenditure would still be necessary, explain why.

- 1.5 For each of the Company's coal- or solid-fuel units (Dolet Hills, Flint Creek, Pirkey, Turk, and Welsh), please produce any analysis or assessment conducted since 2015, of the economics of continued operation, i.e., a retirement study, of the unit or any unit replacement studies done by the Company.
- 1.6 For each of the Company's coal- or solid-fuel units (Dolet Hills, Flint Creek, Pirkey, Turk, and Welsh) for which SWEPCO has included Test Year costs in its request in this proceeding, please identify and produce the most recent depreciation study.
- 1.7 For each of the Company's coal- or solid-fuel units (Dolet Hills, Flint Creek, Pirkey, Turk, and Welsh), please provide the following historical annual data since 2010 and by month for 2019 and 2020 (or earliest available):
  - a. Installed Capacity
  - b. Unforced Capacity
  - c. Capacity Factor
  - d. Equivalent Availability Factor (EAF)
  - e. Heat Rate
  - f. Forced or random outage rate
  - g. Effective forced outage rate (EFORD)
  - h. Fixed O&M costs
  - i. Non-Fuel Variable O&M costs
  - j. Fuel Costs (by fuel type)
- 1.8 For each of the Company's coal- or solid-fuel units (Dolet Hills, Flint Creek, Pirkey, Turk, and Welsh), for each of the years 2021 through 2030, please identify the Company's most recent projection of:
  - a. Installed Capacity
  - b. Unforced Capacity
  - c. Capacity factor
  - d. Availability
  - e. Heat rate
  - f. Forced or random outage rate
  - g. Fixed O&M cost
  - h. Variable O&M cost
  - i. Fuel cost
- 1.9 Refer to the "Flint Creek Power Plant Notice of Intent to Comply With the Site-Specific Alternative to Initiation of Closure CCR Unit – Primary Bottom Ash Pond," submitted to by SWEPCO-AEP to the U.S. EPA on November 30, 2020.
  - a. Produce any evaluation(s) that the Company performed to determine that converting Flint Creek to dry ash handling, as opposed to retiring the unit, is in customers' best interest.
  - b. State the total cost of the projects the Company intends to undertake at Flint Creek to allow compliance with the CCR Rule and ELG Rule, and of these total

- 1.10 Please provide the owner and/or operating agreement(s) with Arkansas Electric Cooperatives, respectively, for the Flint Creek Plant.
- 1.11 Please refer to the Company's Integrated Resource Plan filed with the Louisiana Commission in 2019.
  - a. Please provide the supporting data and workpapers for all figures and tables (in Excel format).
  - b. Please provide an unredacted version of the IRP, including unredacted data and workpapers.
- 1.12 Please provide the following for SWEPCO, with supporting workpapers (in electronic, machine-readable format):
  - a. Annual peak load since 2015 (or earliest available).
  - b. Annual SPP capacity reserve requirement since 2015 (or earliest available).
  - c. Annual sales since 2015 (or earliest available).
  - d. Annual generation since 2015 (or earliest available).
  - e. Annual off-system energy sales in GWhs since 2015 (or earliest available).
  - f. Annual off-system energy sales revenues in dollars since 2015 (or earliest available).
  - g. Annual off-system energy purchases in GWhs since 2015 (or earliest available).
  - h. Annual off-system energy purchases revenues in dollars since 2015 (or earliest available).
- 1.13 Please refer to the Direct Testimony of Thomas Brice at page 6. Please provide all analyses, studies, reports, and presentations regarding the "force majeure" events in 2017 and 2018, as well as SWEPCO's decision to cease mining activities at the Oxbow mine and retire Dolet Hills by the end of 2021.
- 1.14 When did SWEPCO first discover that mining reserves at Dolet Hills would be depleted by 2021? In responding, please provide all documents and communications, including internal communications, studies, reports, and presentations created since 2015 concerning SWEPCO's evaluation of the depletion of mining reserves at Dolet Hills.
- 1.15 Please refer to the Direct Testimony of Thomas Brice at page 6-7. Please provide all analyses, studies, reports, and presentations, including a detailed breakdown of costs and revenues, supporting the assertion that retiring Dolet Hills will result in \$180 million in fuel savings.
- 1.16 Did SWEPCO evaluate the fuel savings associated with retiring Dolet Hills before 2021, or conduct any analysis of the present value of an earlier retirement? If so, please provide all analyses. If not, why?
- 1.17 Please provide a detailed breakdown of the remaining undepreciated balance of Dolet Hills and the associated mines.

1.18 Refer to Schedule H-5.3b regarding Capital Expenditures Historical, Present and Projected. For each of the capital projects involving more than \$1 million total investment at each SWEPCO's solid-fuel generation units, please provide all analyses of the present value of those retrofits or investments versus retirement or replacement. If did not perform any such analysis, why not?