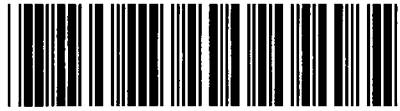




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SOAH DOCKET NO. 473-21-0538

PUC DOCKET NO. 51415

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APPLICATION OF SOUTHWESTERN
ELECTRIC POWER COMPANY FOR
AUTHORITY TO CHANGE RATES

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BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

**NUCOR STEEL LONGVIEW, LLC's FOURTH REQUEST
FOR INFORMATION TO SWEPCO**

COMES NOW Nucor Steel Longview, LLC ("Nucor"), a division of Nucor Corporation, pursuant to Section 22.144 of the Procedural Rules of the Public Utility Commission of Texas and the procedural order in this proceeding, and requests that Southwestern Electric Power Company ("SWEPCO") answer the following questions under oath. Please present your response in accordance with the requirements of P.U.C. PROC. R. § 22.144(c)(2). State the name of the witness in this matter who will sponsor the answer to the question and can vouch for the truth of the answer. The answer should be filed under oath, or the responding party should stipulate in writing that the answer can be treated by all parties as if filed under oath. The response is requested within twenty (20) calendar days or in compliance with any scheduling order entered in this proceeding. SWEPCO is under a continuing obligation to supplement or amend as needed in accordance with P.U.C. PROC. R. § 22.144.

These RFIs are intended to not be duplicative of other discovery propounded by any other party, therefore to the extent any information requested herein is found in responses to other discovery, SWEPCO's response should so state rather than producing additional responses. If any information sought herein has already been filed in the Docket, then reference to the location of that information is a sufficient response.

These requests are not intended to seek, and should be read as expressly excluding, privileged information or documents. Should any information be withheld from a response, please state in that response that you are withholding information or materials and the privilege(s)

asserted.

Provide your response to the undersigned authorized representatives at the address and email listed below.

Respectfully submitted,

STONE MATTHEIS XENOPOULOS & BREW, PC

/s/ Damon E. Xenopoulos

Damon E. Xenopoulos

Laura Wynn Baker

Joseph R. Briscar

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**AUTHORIZED REPRESENTATIVES FOR
NUCOR STEEL LONGVIEW, LLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was served via electronic transmission, hand delivery and/or U.S. mail to all parties of record this 3rd day of March 2021.

/s/ Joseph R. Briscar

Joseph R. Briscar

**NUCOR STEEL LONGVIEW, LLC'S FOURTH REQUEST
FOR INFORMATION TO SOUTHWESTERN ELECTRIC POWER COMPANY**

Definitions and Instructions

A. “**You**” and “**Your**” refers to Southwestern Electric Power Company (“SWEPCO”), the Petitioner in PUC Docket No. 51415, SOAH Docket No. 473-21-0538.

B. “**Southwestern Electric Power Company**” or “**SWEPCO**” or “**the Petitioner**” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of SWEPCO.

C. “**Nucor Steel Longview, LLC**” or “**Nucor**” refers to its officers, employees, agents, representatives, attorneys, and all other natural persons, businesses or legal entities, presently or formerly, acting in concert with, under the direct or indirect control of, or on behalf of Nucor.

D. The term “**Commission**” refers to the Public Utility Commission of Texas, an administrative agency of the State of Texas, and its Staff and Commissioners, natural persons employed by and working for the agency.

E. The term “**Staff**” as used herein refers to the natural persons employed by and working for the Public Utility Commission of Texas in any capacity.

F. “**Document**” and “**Documents**” are used herein in their broadest sense as set forth in Tex. R. Civ. P. 192.3(b), and specifically include electronic information or magnetic data as described in Rule 196.4. These words mean and include all written, printed, typed, recorded, or graphic matter of every kind and description, both original and copies, and all attachments and appendices. Without limiting the foregoing, the terms “**Document**” and “**Documents**” shall include all agreements, contracts, communications, correspondence, letters, opinion letters, telegrams, telexes, telefaxes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations or interviews, minutes, summaries, or other records of meetings and conferences, statements obtained from witnesses, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, progress reports, statistical data, statistical statements, financial statements, worksheets, workpapers, drafts, graphs, charts, tables, accounts, analytical records, consultants’ and experts’ reports, appraisals, bulletins, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, printouts, compilations, tabulations, analyses, studies, surveys, expense reports, microfilm, microfiche, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, programs and data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, magnetically-stored, optically-stored, or electronically stored matter and Electronic Information, however produced, prepared, reproduced, disseminated, made or stored in any data source. The words “**Document**” and “**Documents**” also include all copies of documents by whatever means made, except that where a document is produced, identical copies of it that do not contain any

markings, additions, or deletions that are different from the original do not have to be separately produced.

G. Pursuant to P.U.C. Proc. R. § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

H. The term **“Communication”** includes, without limitation of its generality, statements, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by any media such as intercoms, telephones, television, radio, or computer including electronic information.

I. The term **“Electronic Information”** includes, without limitation, the following: databases, data files, program files (*e.g.*, DOC, XLS, WPD files), image files (*e.g.*, JPEG, TIFF, PDF files), email messages and files, voicemail messages and files, instant messaging messages, text messages, temporary files, system-history files, deleted files or emails, backup files and archival files, website files, website information stored in textual, graphical or audio format, cache files, and cookies stored in any Data Sources in SWEPCO’s possession or control.

J. The term **“Data Sources”** includes, without limitation, mainframe computers, network servers, internet (“web”) servers, computers (including desktop, laptop and handheld computers), hard drives (including portable or temporary hard drives), flash drives (including thumb drives, secure digital cards or other flash memory devices), email servers, handheld devices like personal digital assistants and cell phones or smartphones (*e.g.*, iPhones).

K. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, Nucor requests that any electronic or magnetic data that is responsive to a request herein be produced in a format that is compatible with Microsoft Word, Excel or similar widely available formats and be produced with your response to these requests. If emails are responsive to these requests, please provide a copy of the entire email string. Attachments to emails should also be provided in native format.

L. The terms **“relate”** or **“relating”** to any given subject, when used to specify a document, communication, statement, or correspondence mean any document, communication, statement or correspondence that constitutes, contains, evidences, embodies, reflects, identifies, states, discusses, refers to, deals with, or is in any manner whatsoever pertinent to that subject.

M. The term **“identify,” when used in reference to a natural person** means to provide his or her (1) full name and (2) present or last known position or business affiliation, job title, employment address, and telephone number.

N. The terms **“identify”** and **“describe,” when used in reference to facts, an event, or an allegation**, means to include: (a) a detailed description of the facts, events, or allegation at issue; (b) the date or dates on which the facts or event occurred, or the time period involved in the events giving rise or relating to the allegation; (c) the name, address, telephone number, and affiliation of all persons involved in the facts, event, or allegation; and (d) the date, author, addressee or recipient, and type of document of any document relating to or concerning the event or allegation.

O. The term “**SWEPCO Application**” means the Application of Southwest Electric Power Company for Authority to Change Rate and the Petition and Statement of Intent filed at the Public Utility Commission of Texas on October 14, 2020, PUC Docket No. 51415, and referred to the State Office of Administrative Hearings by PUC Order on October 30, 2020, and subsequently assigned SOAH Docket No. 473-21-0538.

Requests

- Nucor 4-1. Refer to SWEPCO’s response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. Please explain how the Company used the Relative Rates of Return (RRORs) reflected in Staff_8-11_Attachment_1.xlsx to derive the RRORs reflected in Exhibit JLJ-1. Provide all supporting documentation.
- Nucor 4-2. Refer to SWEPCO’s response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. Please provide a worksheet similar in form to Exhibit JLJ-1 but broken down by the Rate Classes reflected in Staff_8-11_Attachment_1.xlsx.
- Nucor 4-3. Refer to SWEPCO’s response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. Please explain why the Rate Classes reflected in Staff_8-11_Attachment_1.xlsx differ from the Customer Groups and sub-groups reflected in Exhibit JLJ-1.
- Nucor 4-4. Refer to SWEPCO’s response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. Please explain why the proposed RROR for Metal Melting Service 69 kV or Higher (Metal Melting—Transmission) remains the highest RROR after the proposed revenue distribution compared to other Industrial rate classes and customer subgroups.
- Nucor 4-5. Refer to SWEPCO’s response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. Please explain why the proposed RROR for Metal Melting Service 69 kV or Higher (Metal Melting—Transmission) remains the highest RROR after the proposed revenue distribution compared to all other rate classes and customer subgroups.
- Nucor 4-6. Please provide the present and proposed RRORs for the Industrial and Commercial & Industrial customer groups (as grouped on Exhibit JLJ-1) without incorporating Metal Melting—Transmission. In other words, what would the present and proposed RRORs be for the Industrial and Commercial & Industrial customer groups if Metal Melting—Transmission was excluded from the calculation of the RRORs for those groups.
- Nucor 4-7. Please confirm that by aggregating the rate classes in the Commercial & Industrial customer group to include Metal Melting—Transmission for purposes of revenue distribution, the total group RROR (both present and proposed) is closer to parity (1.00) under the proposed revenue distribution than the customer group would be without including Metal Melting—Transmission.

- Nucor 4-8. Refer to SWEPCO's response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. The Metal Melting—Transmission class is composed of one customer, and that customer's RROR is 1.94 and 1.65, present and proposed. Explain how it is appropriate to apply the Company's proposed revenue distribution to the Metal Melting—Transmission class based on a customer group RROR of 0.93 for the Commercial & Industrial group.
- Nucor 4-9. Refer to SWEPCO's response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. It appears that the Company is using Metal Melting—Transmission's high RROR (1.94 at present), grouped together with other Commercial & Industrial rate classes, to support a higher group RROR. Please provide support/precedent justifying calculating a customer group's RROR based on an inconsistently high RROR of one customer/rate class. Provide all supporting documentation.
- Nucor 4-10. Refer to SWEPCO's response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. Please justify setting the Metal Melting—Transmission proposed RROR at 1.65 when the next closest Industrial class RROR is 1.05 (Large Lighting and Power—Primary). Provide all supporting documentation.
- Nucor 4-11. Refer to SWEPCO's response to Staff 8-11, Staff_8-11_Attachment_1.xlsx and Exhibit JLJ-1. The proposed RROR for the Metal Melting—Transmission class is 1.65, which is well above parity, especially compared to other Industrial customers. Does the Company consider it equitable and acceptable to treat one customer in such a punitive manner relative to its other customers?
- Nucor 4-12. During the nine months preceding filing of the SWEPCO Application in this proceeding, did the Company communicate with any of the following about the contents of said application: (a) Residential customers or their representatives; (b) Commercial customers or their representatives; (c) Industrial customers or their representatives; or (d) other customers or their representatives? Provide all supporting documentation.
- Nucor 4-13. During the nine months preceding filing of the SWEPCO Application in this proceeding, did the Company communicate with any of the following about the rate design proposal(s) included in said application: (a) Residential customers or their representatives; (b) Commercial customers or their representatives; or (c) Industrial customers or their representatives; or (d) other customers or their representatives? Provide all supporting documentation.
- Nucor 4-14. During the nine months preceding filing of the SWEPCO Application in this proceeding, did the Company communicate with Nucor about either (a) the contents of said application, or (b) the rate design proposal(s) included in said application? Provide all supporting documentation.
- Nucor 4-15. Please describe or provide copies of communications between the Company and customers/customer representatives with whom the Company communicated, prior to filing the SWEPCO Application, about (a) the contents of said application;

or (b) the rate design proposal(s) included in said application. Provide all supporting documentation.

Nucor 4-16. Did the Company consider feedback from customers and/or customer representatives in arriving at (a) the proposals included in the SWEPCO Application; or (b), more specifically, the rate design proposal(s) included in the said application? If the answer to either subpart is yes, please describe the ways in which the Company considered such feedback. Provide all supporting documentation.

Nucor 4-17. Did the Company consider the impact on customers, the economy of the Company's service territory, or any other impacts in arriving at (a) the proposals included in the SWEPCO Application; or (b) the rate design proposal(s) included in said application. If the answer to either subpart is yes, please describe how the Company considered and/or addressed such impacts. Provide all supporting documentation.