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SOAH DOCKET NO. 473-21-0538

PUC DOCKET NO. 51415

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

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

Sierra Club submits this Fifth 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 proceeding 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 March 29, 2021, or as modified by order in this case:

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

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.

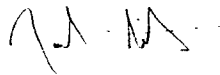
18. Sierra Club reserves the right to serve supplemental, revised, or additional discovery requests as permitted in this proceeding.

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: March 9, 2021

Respectfully submitted,

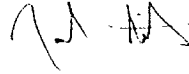


Joshua Smith
Tony Mendoza
Sierra Club Environmental Law Program
2101 Webster St., Suite 1300
Oakland, CA 94612
Tele: 415-977-5560
Email: joshua.smith@sierraclub.org
tony.mendoza@sierraclub.org

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 March 9, 2021, by First-class U.S. mail, hand delivery, and/or e-mail, as permitted by the presiding officer.



Joshua Smith
Sierra Club Environmental Law Program

EXHIBIT A

SOAH DOCKET NO. 473-21-0538

PUC DOCKET NO. 51415

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

**SIERRA CLUB'S FIFTH SET OF REQUESTS FOR INFORMATION TO
SOUTHWESTERN ELECTRIC POWER COMPANY**

- 5.1 Provide all analysis conducted by the Company for Welsh in the past two years that evaluates the conversion of the unit to operate on gas relative to the cost of upgrading the plant to comply with ELG and CCR rules or retirement and replacement with alternative resources.
- 5.2 Regarding the option to convert Welsh to operate on natural gas.
- a. Indicate the outage length necessary to complete the conversion.
 - b. State the date on which the Company expects to begin construction on the conversion.
 - c. Provide the date by which a conversion to natural gas will be completed. If the Company is considering multiple time frames, provide all potential completion dates.
 - d. Provide summer and winter capacity of the unit after its conversion to run on natural gas.
 - e. Provide the total cost of the conversion.
 - f. Provide an annual breakdown of costs that will be incurred by ratepayers.
 - g. Indicate how SWEPCO plans to recover the cost of the conversion (i.e., through which docket or rate mechanism).
- 5.3 Regarding the option to upgrade Welsh to comply with ELG and CCR regulations.
- a. Provide the total cost of compliance.
 - b. Provide a breakdown of the project components required for compliance. For each item, indicate whether it pertains to ELG compliance, CCR compliance, or both.
 - c. Provide an annual breakdown costs that will be incurred by ratepayers.
 - d. Indicate how SWEPCO plans to recover the cost of the upgrades (i.e., through which docket or rate mechanism).

5.4 For Welsh or Flint Creek, has SWEPCO conducted any analyses of compliance with the Regional Haze Rule's "reasonable progress" requirements, including, but not limited to, any four-factor analysis under 40 C.F.R. § 51.308(f) for the control of sulfur dioxide, nitrogen oxides, or particulate matter, which are due in July 2021?

- a. If yes, please provide all such analyses, including all supporting calculations, data, documents, technical or economic reports or presentations, modeling input and output files, and workpapers associated with each such analysis.
- b. If SWEPCO has not conducted any such analyses, explain why.
- c. Please confirm that Welsh Unit 1 was eligible or subject to best available retrofit technology under the first planning period for the regional haze rule. If not confirmed, please explain.
- d. Please confirm that EPA's proposed 2016 federal implementation plan, 82 Fed. Reg. 912, would have required Welsh to meet a sulfur dioxide emission limit of 0.04 lb/mmbtu, requiring the installation of flue gas desulfurization.
- e. Please provide all analyses of compliance with the "best available retrofit technology" provisions of the regional haze rule at Welsh, including all supporting calculations, cost data, documents, technical or economic reports or presentations, modeling input and output files, and workpapers associated with each such analysis.