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<b>APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO CHANGE RATES</b>	§ § §	<b>BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS</b>
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**ENTERGY TEXAS, INC.'S  
FIRST REQUEST FOR INFORMATION TO COMMISSION STAFF**

TO: Staff of the Public Utility Commission (“Commission”) of Texas (“Staff”) by and through its attorneys of record, Mildred Anaele, Scott Miles, and Margaux Fox, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326.

Entergy Texas, Inc. (“ETI” or “the Company”) requests that the Commission Staff provide the following information and answer the following questions under oath within five working days of receipt, or sooner if practicable. These questions are continuing in nature, and if there is a relevant change in circumstances, submit and 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.

Respectfully submitted,

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By: /s/ Lino Mendiola III  
Lino Mendiola III  
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**ATTORNEYS FOR ENTERGY TEXAS, INC.**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was served on all parties of record in accordance with the Commission's Second Order Suspending Rules in Project No. 50664.

/s/ Sarah Merrick  
Sarah Merrick

## INSTRUCTIONS

1. Reference to “Commission Staff” or “your” means Commission Staff and its agents, consultants, and all witnesses whose testimony Commission Staff intend to present to the Public Utility Commission of Texas, and all persons acting or purporting to act for or on behalf of Commission Staff.
2. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”
3. “Any” shall be construed to include “all” and “all” shall be construed to include “any.”
4. The terms “document” and “documents” are used in their broadest sense and shall mean and include all written, printed, typed, recorded, or graphic matter of every kind and description and all attachments and appendices thereto. Without limiting the foregoing, the terms “document” and “documents” shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, records of personal conversations, minutes or summaries or other records of meetings and conferences, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work 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, 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 band by whomever produced, prepared, reproduced, disseminated, or made).
5. Words used in the plural shall be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
6. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
7. If any document is withheld under any claim of privilege, please furnish a privilege log identifying each document for which a privilege is claimed, together with the following information: date and title of the document; the preparer or custodian of the information; to whom the document was sent and from whom it was received; the subject matter of the document; and the basis upon which the privilege is claimed.
8. If there is any question regarding the meaning or intent of a word or words in these requests, please contact counsel of record for Entergy Texas, Inc. for clarification.

## **FIRST REQUEST FOR INFORMATION TO COMMISSION STAFF**

- 1-1. Please provide a full explanation of Ms. Stark's experience in hiring outside lawyers and consultants for base rate proceedings before the Public Utility Commission of Texas. For any attorneys or consultants hired by Ms. Stark, please provide: (1) the dates of the engagement; (2) the regulated entity involved; (3) the docket number of the base rate proceeding; (4) the attorneys and consultants hired; and (5) the rates charged by the attorneys and consultants hired.
- 1-2. Please provide a full explanation of Ms. Stark's experience in hiring outside lawyers and consultants for base rate proceedings before any regulatory authority other than the Public Utility Commission of Texas. For any attorneys or consultants hired by Ms. Stark, please provide: (1) the dates of the engagement; (2) the regulated entity involved; (3) the docket number of the base rate proceeding; (4) the attorneys and consultants hired; and (5) the rates charged by the attorneys and consultants hired.
- 1-3. Please provide a full explanation of Ms. Stark's experience in hiring outside lawyers and consultants for purposes of any litigated proceeding before a federal or state court. For any attorneys or consultants hired by Ms. Stark, please provide: (1) the dates of the engagement; (2) the party or parties involved; (3) the docket number; (4) the attorneys and consultants hired; and (5) the rates charged by the attorneys and consultants hired.
- 1-4. Does Ms. Stark agree that settled cases before the Commission have no precedential value? To the extent Ms. Stark disagrees in whole or in part, provide all support for her position.
- 1-5. Does Ms. Stark agree that under the Office of the Attorney General's memorandum dated July 3, 2019 (provided in Attachment RS-3), the hourly rates for attorneys at \$525 per hour could be exceeded with express approval by the First Assistant Attorney General? To the extent Ms. Stark disagrees in whole or in part, provide all support for her position.
- 1-6. Is Ms. Stark aware of whether the First Assistant Attorney General has ever approved an hourly rate above \$525 per hour?
  - a. If the response is yes, please specify how many instances Ms. Stark is aware of.
  - b. If the response is no, please explain whether Ms. Stark has made any effort to determine whether such approvals have been provided.
- 1-7. Does Ms. Stark agree that under the Office of the Attorney General's memorandum dated July 3, 2019 (provided in Attachment RS-3), some services may be billed on

a fixed fee per project basis? To the extent Ms. Stark disagrees in whole or in part, provide all support for her position.

- 1-8. Does Ms. Stark agree that law firm hourly rates typically escalate over time? To the extent Ms. Stark disagrees in whole or in part, provide all support for her position.
- 1-9. Has Ms. Stark performed any studies or analyses on increases in law firm payroll expense, overhead, and direct expenses over the last five years? If so, please provide such studies or analyses.
- 1-10. Has Ms. Stark performed any studies or analyses on increases in consulting firm payroll expense, overhead, and direct expenses over the last five years? If so, please provide such studies or analyses.
- 1-11. Does Ms. Stark agree that consultant hourly rates typically escalate over time? To the extent Ms. Stark disagrees in whole or in part, provide all support for her position.
- 1-12. Referring to the adjustment for the two attorneys at Jackson Walker, did Ms. Stark perform a study of the hourly rates charged by outside consultants providing rate case expense testimony for utilities? If so, provide the study. If not, provide all support for removing the amount of hourly fees that exceed \$550 per hour.
- 1-13. In the past five years, has Commission Staff hired an attorney, consultant, or service provider on an hourly basis? If so, please provide the details of the engagement, including the engagement letter, the hourly rates by timekeeper, a description of the service provided, and the total amount paid to the consultant or service provider.
- 1-14. In the past five years, has Commission Staff hired an attorney, consultant, or service provider on a flat fee or fixed fee basis? If so, please provide the details of the engagement, including the engagement letter, a description of the service provided, the total amount paid to the attorney, consultant, or service provider, and the invoices from the attorney, consultant, or service provider.
- 1-15. Referring to page 22 regarding Deloitte, is it Ms. Stark's position that all consultants, even those providing services for a discrete issue or set of issues, are required to provide detailed task narratives by timekeeper? If so, provide all support for her position.
- 1-16. Referring to page 22, other than the invoice, in Ms. Stark's opinion, what type of third-party documentation for Deloitte is ETI required to provide to show that such expenses are reasonable and necessary?
- 1-17. Has Ms. Stark performed a study of the costs to utilities for audit services in connection with the review of affiliate costs? If so, provide the study.