



## Filing Receipt

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PUC DOCKET NO. 53719**

<b>APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO CHANGE RATES</b>	<b>§ § §</b>	<b>BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS</b>
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**TEXAS INDUSTRIAL ENERGY CONSUMERS TENTH REQUEST FOR  
INFORMATION TO ENTERGY TEXAS, INC.**

Pursuant to 16 T.A.C. § 22.144, Texas Industrial Energy Consumers (“TIEC”) requests that Entergy Texas, Inc. (“ETI”) provide all of the information requested in Exhibit “A” within the time frame specified under the procedural schedule set in this proceeding.

Pursuant to 16 T.A.C. § 22.144(c)(2), TIEC further requests that answers to the requests for information be made under oath. Each answer should identify the person responsible for preparing that answer (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can vouch for its accuracy. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced. These requests are continuing in nature, and should there be, for any reason, a change in circumstances which would modify or change an answer supplied by you, such changed answer should be submitted immediately as a supplement to your original answer pursuant to 16 T.A.C. § 22.144(i). Please answer each request and sub-request in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the request. TIEC further requests that each item of information be made available as it is completed, rather than upon compilation of all information requested.

All information responsive to the requests on the attached Exhibit “A” should be sent to the following persons via overnight courier, on a piecemeal basis as individual items become available:

Mr. Rex D. VanMiddlesworth  
Mr. Benjamin B. Hallmark  
Mr. Christian E. Rice  
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### **DEFINITIONS AND INSTRUCTIONS**

A. "ETI," "the Company" or "you" refers to Entergy Texas Inc., and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

B. The terms "document" or "documents" are used in their broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description whether printed, produced, reproduced or stored by any process whether visually, magnetically, mechanically, electronically or by hand, whether final or draft, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include writings, correspondence, telegrams, memoranda, studies, reports, surveys, statistical compilations, notes, calendars, tapes, computer disks, data on computer drives, e-mail, cards, recordings, contracts, agreements, invoices, licenses, diaries, journals, accounts, pamphlets, books, ledgers, publications, microfilm, microfiche and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form. The definition includes electronic information that has been deleted. "Document" or "documents" shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.

C. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, TIEC specifically requests that any electronic or magnetic information (which is included in the definition of "document") that is responsive to a request herein be produced on CD-ROM in a format that is compatible with Adobe Acrobat, Microsoft, Macintosh and/or Word Perfect and be produced with your response to these requests. If emails are responsive to these requests, please provide a searchable .pdf copy of the entire email string. Attachments to emails should be provided with the email in searchable .pdf form, unless it is stored in a different format, in which the attachment should be produced in its native format and provided on CD-Rom.

D. The terms "and" and "or" shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

E. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."

F. “Any” shall be construed to include “all” and “all” shall be construed to include “any.”

G. The term “concerning,” or one of its inflections, includes the following meanings: relating to; referring to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

H. The term “including,” or one of its inflections, means and refers to “including but not limited to.”

I. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.

J. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

K. If any document is withheld under any claims of privilege, please furnish a list identifying each document for which a privilege is claimed together with the following information: date, sender, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed. This instruction is not intended to impose an obligation greater than contemplated by the Commission’s rules and any applicable orders in this case.

L. Pursuant to 16 T.A.C. § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

M. If the information requested is included in previously furnished exhibits, workpapers, and 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.

N. The term “emails” includes the entire email string and all attachments found anywhere within the email string. Please refer to paragraph “D.” regarding specific instructions for producing such items.

O. “Communications” refers to correspondence of any kind, including emails.

P. “Identify” and “describe” shall have the meaning set forth below according to the context in which the term is used:

- i. When used in reference to an individual, shall mean to state his or her full name, business affiliation, job title, and business address and telephone number;
- ii. When used in reference to a corporation, shall mean to state its full name, its state of incorporation, its address and its principal place of business;

- iii. When used in reference to any entity other than an individual or corporation, shall mean to state its official name, its organizational form and its address;
- iv. When used in reference to a document, shall mean to state the type of document, date, author, addressee, title, its present location, the name and address of its custodian, and the substance of the contents thereof. In lieu of identifying any document, copies thereof may be furnished; and
- v. When used in reference to a communication, shall mean to state the form of the communication (e.g., telephone conversation, letter, telegram, teletype, telecopy, written memorandum, face to face conversation, or any other form), the date of the communication or the dates on which the communication was sent and/or received if not the same, the parties to the communication, the party who initiated it, the substance of the communication, and the present location and the name and address of the custodian if the communication was non-verbal and/or of any written memorialization of the communication.

Respectfully submitted,

O'MELVENY & MYERS LLP

/s/ Christian E. Rice

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**ATTORNEYS FOR TEXAS INDUSTRIAL  
ENERGY CONSUMERS**

**CERTIFICATE OF SERVICE**

I, Christian E. Rice, Attorney for TIEC, hereby certify that a copy of this document was served on all parties of record in this proceeding on this 28<sup>th</sup> day of November, 2022 by electronic mail, facsimile, and/or First Class, U.S. Mail, Postage Prepaid.

/s/ Christian E. Rice

Christian E. Rice

SOAH DOCKET NO. 473-22-04394  
PUC DOCKET NO. 53719

APPLICATION OF ENTERGY § BEFORE THE STATE OFFICE  
TEXAS, INC. FOR AUTHORITY § OF  
TO CHANGE RATES § ADMINISTRATIVE HEARINGS

**TEXAS INDUSTRIAL ENERGY CONSUMERS TENTH REQUEST FOR  
INFORMATION TO ENTERGY TEXAS, INC.**

**TIEC 10-1** To the extent not previously provided, for Mr. Starkweather, Ms. Bulkley, Mr. Wilson, Mr. McHone, Mr. Watson, and Mr. Totten, please provide all documents provided to, reviewed by, or prepared by or for the testifying expert in anticipation of the expert’s rebuttal testimony in this proceeding that are not communications between counsel and expert witnesses except as provided for in Texas Rule of Civil Procedure 195.5(c).

*The following RFIs refer to the Rebuttal Testimony of Crystal Elbe.*

**TIEC 10-2** Referring to page 11, lines 9-10, please identify the “precedent” to which Ms. Elbe refers.

**TIEC 10-3** Referring to page 11, lines 17–18, would Ms. Elbe maintain that any changes in the allocation of costs would be “unwarranted” if the revision was ultimately found to better reflect cost causation?

**TIEC 10-4** Referring to page 12, lines 11–16, please explain how the use of an annual demand loss factor is consistent with losses experienced exclusively during summer months.

**TIEC 10-5** Referring to page 13, lines 3–10, please explain how it is physically possible for demand loss factors to be higher than energy loss factors.

*The following RFIs refer to the Rebuttal Testimony of Stuart Barrett.*

**TIEC 10-6** Please explain how ETI chose the locations for the generators at issue and provide any underlying analyses supporting those choices.

**TIEC 10-7** Referring to page 9, lines 11–17, please explain how ETI will ensure that host customers will be held fully responsible for the costs for all barriers identified.

**TIEC 10-8** Referring to page 11, lines 6–9, please identify where Mr. Pollock has stated that customers would have ownership interest or control over the backup generators.

**TIEC 10-9** Referring to page 13, lines 7–17:

- a. Please explain how HEB's backup generators and any proposed generators installed through the Power Through program would either prevent service disruptions or facilitate more rapid service restoration for non-host customers.
- b. Please explain how HEB's backup generators and any proposed generators installed through the Power Through program would be used to more quickly restore service to non-host customers who are not served on the same distribution circuit(s) as a host customer.

**TIEC 10-10** Are the HEB generators or any proposed backup generators installed through the Power Through program attached to the grid at the distribution or transmission level?

**TIEC 10-11** Are the HEB generators or any proposed backup generators installed through the Power Through program capable of restoring power to customers served at transmission voltages in the event of a transmission outage? Please explain your response.

*The following RFIs refer to the Rebuttal Testimony of Ryan Magee.*

**TIEC 10-12** Referring to page 10, lines 3–8:

- a. Please confirm or deny that when ETI registers a customer's interruptible contract power with MISO, the designation is based upon the customer's interruptible power, not its firm load.
- b. If a customer taking service under Schedule IS is able to reduce their load during an interruption event but remain above their contracted firm load, will this customer satisfy MISO requirements?

**TIEC 10-13** Referring to page 18, lines 4–5, please explain how ETI determined the thresholds for which an interruptible customer would be required to contract for firm load. Please provide all workpapers supporting this analysis in live EXCEL format.

**TIEC 10-14** Please provide a copy of the MISO registration for all LIPS customers participating in the IS Schedule.

*The following RFIs refer to the Rebuttal Testimony of Anastasia Meyer.*

**TIEC 10-15** Referring to page 9, line 17 through page 10, line 2, please provide any correspondence, documents, and communications over the last five years between ETI and Cleco regarding the potential retirement of Big Cajun II Unit 3.

**TIEC 10-16** Referring to page 16, line 19 through page 17, line 2, if OCAPS is not in commercial operation in 2026 and Sabine 4 is not retired, please explain why it would be appropriate to depreciate Sabine 4 through 2026.



**TIEC 10-17** Referring to page 19, lines 2–3:

- a. Please provide a copy of any manufacturer’s warranty for Montgomery County Power Station, including but not limited to the warranty mentioned on page 19 of Ms. Meyer’s rebuttal testimony
- b. Please identify the specific components of Montgomery County Power Station that are covered by any manufacturer’s warranty for 30 years, including but not limited to the warranty mentioned on page 19 of Ms. Meyer’s rebuttal testimony.