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

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

CITIES' FOURTH REQUEST FOR INFORMATION

Pursuant to §22.144 of the Commission's Procedural Rules, the Cities of Anahuac, Beaumont, Bridge City, Cleveland, Dayton, Groves, Houston, Huntsville, Liberty, Montgomery, Navasota, Nederland, Oak Ridge North, Orange, Pine Forest, Pinehurst, Port Arthur, Port Neches, Roman Forest, Rose City, Shenandoah, Silsbee, Sour Lake, Splendora, Vidor, West Orange, and Willis ("Cities"), request that Entergy Texas, Inc. ("ETI" or "Company"), by and through its attorneys of record, provide all information requested on the attached Exhibit "A" pursuant to Tex. Admin. Code ("TAC") § 22.144.

Pursuant to TAC § 22.144(c)(2), Cities further request 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 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 TAC § 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.

All information responsive to the requests on the attached Exhibit "A" should be sent to the following:

E-mail:

danlawtonlawfirm@gmail.com
molly@mayhallvandervoort.com

Physical Delivery:

Daniel J. Lawton
12600 Hill Country Blvd., Suite R-275
Austin, Texas 78738
(512) 322-0019
(512) 329-2604 – fax

DEFINITIONS AND INSTRUCTIONS

A. “ETI,” “the Company” or “you” refers to Entergy Texas, Inc., and any person acting or purporting to act on its 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 or reproduced 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, but you if necessary, into reasonably useable form. “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, Cities specifically request that any electronic or magnetic data (which is included in the definition of “document”) that is responsive to a request herein be produced by email (preferred) or on CD-ROM or flash drive in a format that is compatible with Microsoft Office applications and be produced with your response to these requests.

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 legal, 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 claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.

L. Pursuant to TAC § 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, 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.

Respectfully submitted,
LAWTON LAW FIRM, P.C.



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(512) 322-0019
(512) 329-2604 Fax
ATTORNEY FOR CITIES

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served on all parties of record in this proceeding on this the 6th day of September, 2022, in accordance with the Order Suspending Rules issued in Project No. 50664.

A handwritten signature in black ink, appearing to read "Molly Mayhall Vandervoort". The signature is fluid and cursive, with the first name "Molly" being more prominent.

Molly Mayhall Vandervoort

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- Cities 4-1. Please refer to Anastasia R. Meyer's direct testimony, page 15, lines 4 through 16 in which she references a study to determine "whether it would be more economic to build a new 372 MW generic combustion turbine ("CT") with hydrogen capabilities than to continue to infuse capital into an aging coal-fired generating unit subject to increased environmental compliance costs." Provide any report, study, analysis, or any document within the Company's possession or control that Entergy Texas relied upon to determine whether it would be more economic to retire Nelson Unit 6 prior to 2030.
- Cities 4-2. Please refer to Anastasia R. Meyer's direct testimony, page 15, line 19 through page 20, line 9 in which she references multiple studies that would suggest that it would be economical for the majority owner and operator, CLECO, to retire Big Cajun 2 Unit 3 prior to its announced December 31, 2032 retirement date. Provide any report, study, analysis, or any document within the Company's possession or control that examines whether it would be more economic to retire Big Cajun 2 Unit 3 prior to 2030.
- Cities 4-3. Please refer to Anastasia R. Meyer's direct testimony, page 12, lines 5 through 8 in which she states the following: "ETI also recently made a deactivation decision for Sabine 1 to extend the deactivation date from 2022 to May 31, 2023, to align with the transfer of the existing transmission rights at the site to the new proposed Orange County Advanced Power Station ("OCAPS"), as discussed in more detail below." Provide the unaccrued balance (net book value) for Sabine Unit 1 as of May 31, 2023 at the current accrual rate. Please provide the response in an Excel-compatible format with all cell references and formulas intact.
- Cities 4-4. Please provide the total annual proposed change in depreciation expense between (1) current existing depreciation rates and (2) the new proposed rates for the following units: (a) Nelson 6, (b) Big Cajun Units 2 and 3, and (c) Sabine Unit 1.