



## **Filing Receipt**

**Filing Date - 2024-10-04 10:09:26 AM**

**Control Number - 56963**

**Item Number - 31**

**PUC DOCKET NO. 56963**

**APPLICATION OF ONCOR  
ELECTRIC DELIVERY COMPANY  
LLC TO AMEND ITS DISTRIBUTION  
COST RECOVERY FACTOR**

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§  
§  
§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**AFFIDAVIT OF ALFRED R. HERRERA RELATED TO  
RATE-CASE EXPENSES, INCLUDING ATTORNEYS FEES INCURRED BY  
THE ALLIANCE OF ONCOR CITIES**

**STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §**

Before me, the undersigned authority, on this day personally appeared Alfred R. Herrera, being by me first duly sworn on oath deposed and said the following:

1. My name is Alfred R. Herrera, and I am over 18 years of age and I am not disqualified from making this affidavit. My statements are true and correct.
2. I am the founder and managing partner of Herrera Law & Associates, PLLC ("HLA"). I have focused my legal career in the public-utility arena and have over 40 years of experience in legal and legislative matters related to the utility industry (gas, electric, water, wastewater, and telecommunications) and have held positions at the Public Utility Commission of Texas ("PUC"), the City Attorney's Office for the City of Austin, and for a major telecommunications corporation.
3. I am a charter member of the initial class of attorneys to have been board certified by the Texas Board of Legal Specialization in Administrative Law in 1989 and serve on the Administrative Law Advisory Commission for the Texas Board of Legal Specialization, which serves to identify applicants eligible to sit for the Administrative Law specialization exam. I am also a member of the Texas Bar College, a professional society of legal scholars who are leaders in the Texas legal community and champions of legal education. I am a member of the State Bar of Texas; the Public Utility Law Section of the State Bar; and of the Austin Bar Association.
4. I have litigated numerous utility-related rate matters in the electric, telecommunications, gas, and water/wastewater industries having served as lead counsel well in excess of two hundred contested proceedings before the Public Utility Commission of Texas and the Railroad Commission of Texas. I have handled numerous appeals to the Texas Courts of Appeals and the Texas Supreme Court. I obtained a B.A. in American History from the George Washington University and a Doctor of Jurisprudence degree from the University of Texas School of Law. I am a frequent speaker on issues related to municipal law and electric, water/wastewater, telecommunications, and gas-utility law in continuing legal education courses sanctioned by the State Bar of Texas.

5. My prior experience further informs my perspective having worked in state government (the Public Utility Commission of Texas), served as an assistant city attorney focused on advising a municipally-owned utility (the City of Austin), served as lead regulatory counsel for a major telecommunications interest with responsibility for a five-state region comprised of the States of Missouri, Oklahoma, Kansas, Arkansas, and Texas, and finally, in private practice at Herrera Law & Associates, PLLC (the successor to Herrera & Boyle, PLLC).
6. The Alliance of Oncor Cities (AOC) retained Herrera Law & Associates in connection with *PUC Docket No. 56963, Application of Oncor Electric Delivery Company LLC to Amend its Distribution Cost Recover Factor (PUC Docket No. 56963)*.
7. The firm of Herrera Law & Associates, PLLC provided services to AOC in *PUC Docket No. 56963* including, but not limited to, the following activities: pre-meetings with the utility regarding a preview of their application; the provision of legal advice and strategy; negotiating schedules and substantive issues; identification of consultants and recommendations to AOC regarding engagement of consultants; coordination of issue development internally and with other city groups in the case; legal research; preparation and filing of pleadings, briefs, discovery, and pre-filed testimony; preparation for and participating in prehearing conferences, preparation for hearings on the merits, and Open Meetings; and briefing clients and discussions with consultants.
8. I am familiar with the work performed by Herrera Law & Associates, PLLC and the technical consultant engaged on behalf of AOC in connection with *PUC Docket No. 56963*. I am responsible for coordinating and supervising the efforts of my firm's personnel pertaining to the services rendered to AOC in *PUC Docket No. 56963*. I have personally reviewed the billings for all work performed (legal and consulting) in connection with *PUC Docket No. 56963*.
9. Further, given my experience and qualifications, I am qualified to render admissible opinions on the reasonableness of AOC's attorney fees to meet AOC's evidentiary burden under 16 Texas Administrative Code § 23.245.
10. Herrera Law & Associates, PLLC transmits our firm's and consultants' invoices and backup materials showing the fees and expenses related to *PUC Docket No. 56963* to the City of Corsicana, Texas for review and approval. The City of Corsicana makes available those invoices to the AOC Steering Committee for its review. Once that review is completed, the City of Corsicana forwards the approved invoices to Oncor Electric Delivery Company LLC (Oncor or the Company) for reimbursement.
11. My firm's billings are reasonable and necessary for development of the record and advocacy of AOC's position on the issues in *PUC Docket No. 56963*. My firm's and consultant's invoices accurately reflect the time expended and the expenses incurred by HLA and the consultant that worked on matters related to *PUC Docket No. 56963*. As a matter of standard operating procedure, we avoid the duplication of effort in providing our services to AOC.

12. My firm's billing rates for governmental clients for our attorneys ranges from \$370.00 to \$575.00 per hour. Herrera Law & Associates, PLLC's billing rates for its paralegals is \$155.00 per hour. These billing rates are reasonable, consistent with the rates billed to other governmental clients for similar work, and comparable to rates charged by other professionals with the same level of expertise and experience. Herrera Law & Associates, PLLC's rates are at the low- to mid-range of reasonable hourly rates compared to the rates charged by other lawyers with similar experience providing similar services.
13. For the period **August 1, 2024 through September 30, 2024**. In that period AOC incurred **\$3991.50** in rate case expenses related to *PUC Docket No. 56963*, comprised of **\$666.50 in legal fees and expenses**, and **\$3,325.00 in consultant fees and expenses**. The table below shows AOC's rate case expenses by firm providing services to AOC for the period of **August 1, 2024 through September 30, 2024**:

Firm Name	Fees	Total
Garrett Group Consulting, Inc.	\$3,325.00	\$3,325.00
Herrera Law & Associates, PLLC	\$666.50	\$666.50
<b>TOTAL THROUGH September 30, 2024</b>		<b>\$3,991.50</b>

14. Exhibit A to my Affidavit provides a summary of AOC's actual rate-case expenses for the period **August 1, 2024 through September 30, 2024**. Exhibit A-1 is comprised of the invoices for AOC's rate case expenses for this period.
15. The time and resources expended and expenses shown in Exhibit A and Exhibit A-1 to my Affidavit were necessary to advise AOC regarding AOC's application, review the application, identify issues, coordinate activities, communicate with the AOC Steering Committee regarding the status of the case, retain and work with consultants, engage in discovery, draft pleadings, develop testimony, and prepare for and attend conferences among the parties, and to review all invoices and billings regarding AOC's rate case expenses.
16. The amounts charged for our services are reasonable and there has been no double billing of fees or expenses. Our firm does not charge its governmental clients for meal expenses. Also, we have not incurred or billed for luxury items, first-class airfare, limousines, alcohol, sporting events, or entertainment.
17. The hours spent to perform the tasks assigned to Herrera Law & Associates, PLLC were necessary to complete the required tasks in a professional manner on a timely basis. My many years of experience in working with and supervising attorneys and consultants in proceedings at the Public Utility Commission of Texas, as well as the Railroad Commission of Texas, facilitates efforts to keep rate-case expenses reasonable.
18. The invoices submitted by Herrera Law & Associates, PLLC include a description of services performed and time expended on each activity. Herrera Law & Associates, PLLC has documented all charges with time sheets, invoices, and records. The documentation in this case is similar to that provided in many previous cases at the Commission and is in

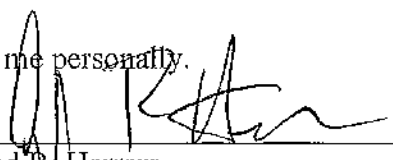
conformance with the Commission's "rate-case-expense" rule, 16 TEXAS ADMIN. CODE § 25.245.

19. The legal expenses shown in our invoices connected with *PUC Docket No. 56963* do not include luxury items. Legal expenses consist of reimbursable items such as courier services, express mail, and postage and shipping, and outside photocopying services.
20. My responsibilities, as well as other attorneys assigned to *PUC Docket No. 56963* include client communication, strategy development, overall case management, discovery review, drafting pleadings and briefs, reviewing and editing testimony, and preparing for and attending pre-hearing conferences and hearings.
21. The other attorney assigned to this proceeding is Mr. Sergio E. Herrera.

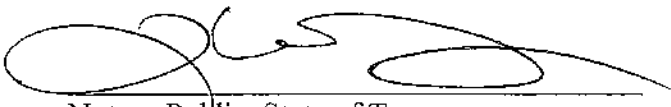
Mr. Sergio Herrera has been employed with our firm as a law clerk since 2015 and obtained a joint degree – JD/MBA from Texas Tech School of Law and the Rawls College of Business in which he graduated Magna Cum Laude. Mr. S. Herrera, licensed since 2018, has over six years of experience in assisting and providing support in numerous rate proceedings at the PUCT and the Railroad Commission of Texas, and "CCN" cases at the PUCT, including conducting legal research, preparing discovery and pleadings related to discovery disputes, reviewing pre-filed direct testimonies, and drafting of briefs in matters before the PUCT and the courts of appeal. Mr. S. Herrera has taken on greater responsibilities by sitting first and second chair in proceedings before the Railroad Commission of Texas, and before the PUCT in DCRF, fuel-reconciliation, fuel-factor and surcharge cases, base-rate cases, and CCN cases. As well, Mr. S. Herrera participates in prehearing conferences, settlement meetings, and preparations for and the cross-examination of expert witnesses in contested proceedings before the Commission.

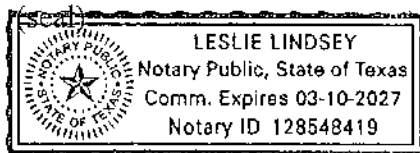
22. Ms. Mariann Wood is a certified paralegal having obtained her Associates of Applied Science in Paralegal Studies degree and certification from Kaplan University. Ms. Wood has over 18 years of experience as a paralegal and legal assistant, all in Administrative Law and more particularly in the public utility sector.
23. The total of AOC's actual rate case expenses for the period **August 1, 2024 through September 30, 2024**, is **\$3,991.50** for *PUC Docket No. 56963*. Of this amount, **\$666.50** are legal fees and expenses and **\$3,325.00** are consultant fees and expenses. These amounts, including the legal fees and expenses incurred by AOC, are reasonable given the nature of AOC's participation in this proceeding, the limited number of issues involved, and the complexity, importance and scope of *PUC Docket No. 56963*.
24. Because the Public Utility Commission has not issued a final order in *PUC Docket No. 56963*, and because our firm will very likely provide services to AOC after September 30, 2024, I will supplement this affidavit with additional information as appropriate.
25. On behalf of AOC, our firm reserves the right to amend this affidavit and AOC's request for reimbursement as more information is gathered over the course of *PUC Docket No. 56963*.

26. Statements in this affidavit are true and known by me personally.

  
\_\_\_\_\_  
Alfred R. Herrera

SWORN AND SUBSCRIBED before me on this the 4th day of October, 2024.

  
\_\_\_\_\_  
Notary Public, State of Texas



# EXHIBIT A

## AOC's Rate Case Expense Summary for PUC Docket No. 56963

	Invoice Date	Invoice No.	Billing Period	Through Period	Hourly Fees	Expense	Invoice Amount	Total Billed to Date	
<b>Garrett Group Consulting, Inc.</b>	9/6/2024	924	8/1/2024	8/31/2024	\$987.50	\$0.00	\$987.50	\$987.50	
	10/3/2024	924	9/1/2024	9/30/2024	\$2,337.50	\$0.00	\$2,337.50	\$3,325.00	
								<b>Garrett Group Total</b>	<b>\$3,325.00</b>
<b>Herrera Law &amp; Associates, PLLC</b>	9/23/2024	924	8/1/2024	8/31/2024	\$139.50	\$0.00	\$139.50	\$139.50	
	10/3/2024	924	9/1/2024	9/30/2024	\$527.00	\$0.00	\$527.00	\$666.50	
								<b>Herrera Law &amp; Associates, PLLC Total</b>	<b>\$666.50</b>
<b>Legal and Consultants</b>	9/23/2024		8/1/2024	8/31/2024	\$139.50	\$987.50	\$1,127.00	\$1,127.00	
	10/3/2024		9/1/2024	9/30/2024	\$527.00	\$2,337.50	\$2,864.50	\$3,991.50	
								<b>Legal and Consultants</b>	<b>\$3,991.50</b>
								<b>Total Billings for Services Through September 30, 2024</b>	<b>\$3,991.50</b>



September 23, 2024

City of Corsicana  
Ms. Connie Standridge, City Manager  
c/o Alliance of Oncor Cities  
200 North 12<sup>th</sup> Street  
Corsicana, TX 75110

**Re: PUC Docket No. 56963 (Acct #924):** *Application of Oncor Electric Delivery Company LLC to Amend its Distribution Cost Recovery Factor*

Dear Ms. Standridge,

Enclosed is our invoice for fees and expenses for services performed on behalf of the Alliance of Oncor Cities regarding the above referenced matter through August 2024.

If I can provide any further explanation about the services provided for you, please call me at (512) 474-1492.

Sincerely,

*Alfred R. Herrera*  
Alfred R. Herrera

ARH:mw  
Enclosure



**Herrera Law & Associates, PLLC**

**PO Box 302799  
Austin, TX 78703**

**September 23, 2024**

*Invoice submitted to:*

**City of Corsicana  
Ms. Connie Standridge, City Manager  
c/o Alliance of Oncor Cities  
200 North 12th Street  
Corsicana, TX 75110**

*In Reference To:*

**PUC Docket No. 56963 (Acct #924): Application of Oncor  
Electric Delivery Company LLC to Amend its Distribution  
Cost Recovery Factor**

**Legal Fees:**

	<u>Hrs/Rate</u>	<u>Amount</u>
8/29/2024 Mariann Wood - Prepared AOC's Motion to Intervene; Prepared AOC's Protective Order Certifications; Reviewed filings on PUC Interchange and update case file	0.90 155.00/hr	139.50
For professional services rendered	<u>0.90</u>	<u>\$139.50</u>

**Expenses:**

8/1/2024 Consultant Invoice - Garrett Group Consulting, Inc. Professional Services for August 2024	987.50
Total additional charges	<u>\$987.50</u>
Total amount of this bill	<u>\$1,127.00</u>
Balance due	<u><u>\$1,127.00</u></u>

GARRETT GROUP CONSULTING, INC.  
4028 OAKDALE FARM CIRCLE  
EDMOND, OK 73013

TELEPHONE (405) 203-5415

E-MAIL: [MGARRETT@GARRETTGROUPLLC.COM](mailto:MGARRETT@GARRETTGROUPLLC.COM)

September 6, 2024

Sergio E. Herrera  
816 Congress Ave, Suite 950  
Austin, Texas 78701

**RE: *Oncor DCRF Docket No. 56963***

Dear Sergio:

Our invoice for professional services for August 2024 in connection with the above-referenced case follows:

**I. Professional Services:**

A. Mark Garrett, JD, CPA — <i>(Details in Attachment A)</i>	2.0 hours at \$275.00 per hour	\$550.00
B. Edwin C. Farrar, CPA <i>(Details in Attachment B)</i>	2.5 hours at \$175.00 per hour	\$437.50

**II. Expenses:**

Office Expenses	<u>N/C</u>
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**III. Total Invoice:**

<u><u>\$987.50</u></u>
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We appreciate the opportunity to work with you on this case. Please call me if you should have any questions.

Sincerely,

*Mark Garrett*

Mark E. Garrett  
Attachments

**Attachment A**  
**Mark E. Garrett**

*Consulting Tasks for*  
**Oncor DCRF Docket No. 56963**  
*Billing Period: August 2024*

<b>Dates</b>	<b>Tasks</b>	<b>Hours</b>
8/30/2024	Review Application, testimony and exhibits;	2.0
	<b>Total</b>	<b>2.0</b>

**Attachment B**  
**Edwin C. Farrar**

*Consulting Tasks for*  
**Oncor DCRF Docket No. 56963**  
*Billing Period: August 2024*

<b>Dates</b>	<b>Tasks</b>	<b>Hours</b>
8/29/2024	Review Application, testimony and exhibits;	2.0
8/31/2024	Review discovery;	0.5
	<b>Total</b>	<b>2.5</b>

*Herrera Law & Associates PLLC*  
*August 2024 Billable Hours*  
*EXHIBIT A-1*

		Case/Project	Client	Date	Description of Services	Time	Rate	Billable
M Wood	924	56963 (Oncor DURL)	AOC	8/29/2024	Prepared AOC's Motion to Intervene; Prepared AOC's Protective Order Certifications; Reviewed filings on PUC Interchange and update case file	0.9	\$ 155.00	\$ 139.50
TOTAL						0.9		\$ 139.50



October 3, 2024

City of Corsicana  
Ms. Connie Standridge, City Manager  
c/o Alliance of Oncor Cities  
200 North 12<sup>th</sup> Street  
Corsicana, TX 75110

**Re: PUC Docket No. 56963 (Acct #924):** *Application of Oncor Electric Delivery Company LLC to Amend its Distribution Cost Recovery Factor*

Dear Ms. Standridge,

Enclosed is our invoice for fees and expenses for services performed on behalf of the Alliance of Oncor Cities regarding the above referenced matter through September 2024.

If I can provide any further explanation about the services provided for you, please call me at (512) 474-1492.

Sincerely,

*Alfred R. Herrera*  
Alfred R. Herrera

ARH:mw  
Enclosure

**Herrera Law & Associates, PLLC**

**PO Box 302799  
Austin, TX 78703**

**October 3, 2024**

*Invoice submitted to:*

**City of Corsicana  
Ms. Connie Standridge, City Manager  
c/o Alliance of Oncor Cities  
200 North 12th Street  
Corsicana, TX 75110**

*In Reference To:*

**PUC Docket No. 56963 (Acct #924): Application of Oncor  
Electric Delivery Company LLC to Amend its Distribution  
Cost Recovery Factor**

**Legal Fees:**

		<u>Hrs/Rate</u>	<u>Amount</u>
9/4/2024	Mariann Wood - Prepared AOC's Motion to Intervene, filed AOC's Motion to Intervene on the PUC filer and served upon all parties	0.30 155.00/hr	46.50
	Mariann Wood - Prepared AOC's Protective Order Certifications, filed AOC's Protective Order Certifications on the PUC filer and served upon all parties	0.30 155.00/hr	46.50
9/5/2024	Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.20 155.00/hr	31.00
	Mariann Wood - Updated Discovery Spreadsheet, emailed to attorneys	0.20 155.00/hr	31.00
9/6/2024	Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.10 155.00/hr	15.50
9/9/2024	Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.10 155.00/hr	15.50
	Mariann Wood - Updated Discovery Spreadsheet, emailed to ARH & SEH	0.30 155.00/hr	46.50

City of Corsicana

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
9/12/2024 Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.30 155.00/hr	46.50
9/13/2024 Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.20 155.00/hr	31.00
9/16/2024 Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.10 155.00/hr	15.50
9/17/2024 Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.10 155.00/hr	15.50
9/19/2024 Mariann Wood - Reviewed filings on PUC Interchange and updated case file	0.20 155.00/hr	31.00
9/20/2024 Mariann Wood - Updated Discovery Spreadsheet, emailed to ARH & SEH	1.00 155.00/hr	155.00
For professional services rendered	<u>3.40</u>	<u>\$527.00</u>

**Expenses:**

9/1/2024 Consultant Invoice - Garrett Group Consulting Professional Services for September 2024	2,337.50
Total additional charges	<u>\$2,337.50</u>
Total amount of this bill	<u>\$2,864.50</u>
Previous balance	\$1,127.00
Balance due	<u><u>\$3,991.50</u></u>



GARRETT GROUP CONSULTING, INC.  
4028 OAKDALE FARM CIRCLE  
EDMOND, OK 73013

TELEPHONE (405) 203-5415

E-MAIL: [MGARRETT@GARRETTGROUPLLC.COM](mailto:MGARRETT@GARRETTGROUPLLC.COM)

October 3, 2024

Sergio E. Herrera  
816 Congress Ave, Suite 950  
Austin, Texas 78701

**RE: *Oncor DCRF Docket No. 56963***

Dear Sergio:

Our invoice for professional services for September 2024 in connection with the above-referenced case follows:

**I. Professional Services:**

A. Mark Garrett, JD, CPA — <i>(Details in Attachment A)</i>	8.5 hours at \$275.00 per hour	\$2,337.50
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**II. Expenses:**

Office Expenses	<u>N/C</u>
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**III. Total Invoice:**

\$2,337.50

We appreciate the opportunity to work with you on this case. Please call me if you should have any questions.

Sincerely,

*Mark Garrett*

Mark E. Garrett  
Attachments

**Attachment A**  
Mark E. Garrett

*Consulting Tasks for*  
**Oncor DCRF Docket No. 56963**  
*Billing Period: September 2024*

<b>Dates</b>	<b>Tasks</b>	<b>Hours</b>
9/6/2024	Review testimony and schedules; perform analysis;	2.0
9/8/2024	Review testimony and schedules; perform analysis;	4.0
9/10/2024	Review discovery, testimony and exhibits; perform analysis;	1.5
9/17/2024	Review discovery; review filings of intervenors and Commission staff;	1.0
	<b>Total</b>	<b>8.5</b>

**Herrera Law & Associates PLLC**  
**September 2024 Billable Hours**  
**EXHIBIT A-1**

		Case/Project	Client	Date	Description of Services	Time	Rate	Billable
M Wood	924	56963 (Onenr DCRI)	AOC	9/1/2024	Prepared AOC's Motion to Intervene, filed AOC's Motion to Intervene on the PUC filer and served upon all parties	0.3	\$ 155.00	\$ 46.50
M Wood	924	56963 (Onenr DCRF)	AOC	9/4/2024	Prepared AOC's Protective Order Certifications, filed AOC's Protective Order Certifications on the PUC filer and served upon all parties	0.3	\$ 155.00	\$ 46.50
M Wood	924	56963 (Onenr DCRI)	AOC	9/5/2024	Reviewed filings on PUC Interchange and update case file	0.2	\$ 155.00	\$ 31.00
M Wood	924	56963 (Onenr DCRI)	AOC	9/5/2024	Updated Discovery Spreadsheet, emailed to attorneys	0.2	\$ 155.00	\$ 31.00
M Wood	924	56963 (Onenr DCRF)	AOC	9/6/2024	Reviewed filings on PUC Interchange and update case file	0.1	\$ 155.00	\$ 15.50
M Wood	924	56963 (Onenr DCRF)	AOC	9/9/2024	Reviewed filings on PUC Interchange and update case file	0.1	\$ 155.00	\$ 15.50
M Wood	924	56963 (Onenr DCRI)	AOC	9/9/2024	Updated Discovery Spreadsheet, emailed to ARH & SEH	0.3	\$ 155.00	\$ 46.50
M Wood	924	56963 (Onenr DCRI)	AOC	9/12/2024	Reviewed filings on PUC Interchange and update case file	0.3	\$ 155.00	\$ 46.50
M Wood	924	56963 (Onenr DCRI)	AOC	9/13/2024	Reviewed filings on PUC Interchange and update case file	0.2	\$ 155.00	\$ 31.00
M Wood	924	56963 (Onenr DCRF)	AOC	9/16/2024	Reviewed filings on PUC Interchange and update case file	0.1	\$ 155.00	\$ 15.50
M Wood	924	56963 (Onenr DCRF)	AOC	9/17/2024	Reviewed filings on PUC Interchange and update case file	0.1	\$ 155.00	\$ 15.50
M Wood	924	56963 (Onenr DCRI)	AOC	9/19/2024	Reviewed filings on PUC Interchange and update case file	0.2	\$ 155.00	\$ 31.00
M Wood	924	56963 (Onenr DCRI)	AOC	9/20/2024	Updated Discovery Spreadsheet, emailed to ARH & SEH	1.0	\$ 155.00	\$ 155.00
TOTAL						3.4		\$ 527.00