



Control Number: 50284



Item Number: 27

Addendum StartPage: 0

**SOAH DOCKET NO. 473-20-3116
PUC DOCKET NO. 50284**



**COMPLAINT OF JAIME LEONARDO
SLOSS AGAINST AEP TEXAS INC.**

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**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO AEP TEXAS INC.
QUESTION NOS. STAFF 1-1 THROUGH 1-17**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144 of the Commission's Procedural Rules, the Staff of the Public Utility Commission of Texas (Staff) requests that AEP Texas Inc. (AEP) and through its attorneys of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each 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. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide responses to the Requests for Information by filing with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer pursuant to the Order Suspending Rules in Docket No. 50664.

Dated: May 18, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Daniel Moore
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**SOAH DOCKET NO. 473-20-3116
PUC DOCKET NO. 50284**

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on May 18, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore
Daniel Moore

**SOAH DOCKET NO. 473-20-3116
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**COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
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DEFINITIONS

- 1) "AEP" or "Company" refers to AEP Texas, Inc. and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist and these documents will be provided.

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INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions 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.
- 4) 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.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) 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.
- 7) Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

SOAH DOCKET NO. 473-20-3116
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QUESTION NOS. STAFF 1-1 THROUGH 1-17

- Staff 1-1 Please provide a copy of the AEP Central Division tariff that was in effect on September 3, 2016.
- Staff 1-2 Please admit or deny that there was a power surge or similar problem with electric delivery to Mr. Sloss's residence on September 3, 2016.
- a. If so, please admit or deny that the problem with the electrical delivery service was on AEP Texas's side of the point of delivery.
 - b. If so, please admit or deny that the problem with the electrical delivery service was caused by issues on Mr. Sloss's side of the point of delivery.
 - c. If so, please admit or deny that the problem with the electrical delivery service was caused by a tree limb.
 - d. If so, please admit or deny that the problem with the electrical delivery service was caused by a neutral wire down on an open secondary wire or some other similar reason.
 - e. If the answers to parts c and d are deny, please identify and explain the cause of the problem with the electric delivery service.
- Staff 1-3 If AEP admits that there was a problem with electric delivery to Mr. Sloss's residence on September 3, 2016, please confirm whether the problem constituted an emergency condition affecting the delivery of electric power and energy or the safety and security of persons and property under §§ 3.14 and 5.2.5 of the AEP Texas Central Division tariff.
- a. If so, please explain whether AEP Texas and Mr. Sloss cooperated with each other under § 3.14 of the AEP Texas Central Division tariff.
- Staff 1-4 Please provide a list of each issue with Mr. Sloss's electric delivery service that he reported to AEP Texas between September 3, 2016, and the present, including the following:
- a. The date Mr. Sloss contacted AEP Texas regarding the issue;
 - b. The name of the person Mr. Sloss spoke with;
 - c. A description of the service issue Mr. Sloss reported; and
 - d. A summary of actions taken by AEP Texas in response to Mr. Sloss's contact.
- Staff 1-5 For each issue with electric delivery service that Mr. Sloss reported to AEP Texas between September 3, 2016 and the present, please identify:
- a. The provisions of PURA or the Commission's rules that apply to each issue; and

- b. The provisions of the AEP Texas Central Division tariff that apply to each issue.

- Staff 1-6 Please provide all internal communications regarding Mr. Sloss, Jose Garza, Account number 1188022765, or the related service address (711 Ridge Road, Alamo, TX 78516) from September 3, 2016 through the present. Please do not include any documents related to the suit Mr. Sloss has filed against AEP Texas in District court.
- Staff 1-7 Please identify each date between September 3, 2016 and the present that an AEP Texas service technician was dispatched to Mr. Sloss's residence, and provide any resulting reports, tickets, or other documents.
- Staff 1-8 Please admit or deny that each AEP Texas service technician who accessed the premises of Mr. Sloss's residence between September 3, 2016 and the present complied with § 5.4.8 of the AEP Texas Central Division tariff. If admit, please provide any documents demonstrating compliance. If deny, please explain the reason for the deviation from this requirement.
- Staff 1-9 For each date between September 3, 2016 and the present that an AEP Texas service technician was dispatched to Mr. Sloss's residence, please provide any voltage reading at the meter taken by the technician and explain whether the reading complied with the standard voltages in § 6.2.2. of the AEP Texas Central Division tariff.
- Staff 1-10 Please identify each date between September 3, 2016 and the present, if any, where AEP Texas is aware that the electric delivery service to Mr. Sloss's residence was not through single-phase, at 60 hertz, and at a standard secondary voltage as required by § 6.1.1.1.1 of the AEP Texas Central Division tariff. For each date identified, please explain the reason for deviating from this requirement.
- Staff 1-11 Please identify each date, if any, on which AEP Texas notified Mr. Sloss's retail electric provider of any problem-causing condition on Mr. Sloss's side of the point of delivery in accordance with § 5.12.2 of the AEP Texas Central Division tariff and indicate whether AEP Texas charge the retail electric provider a fee for the service call in compliance with chapter 6 of the AEP Texas Central Division tariff.
- Staff 1-12 Please admit or deny that AEP Texas complied with § 5.11.2 of the AEP Texas Central Division tariff by informing Mr. Sloss of his right to file a complaint with the Commission and providing the Commission's contact information to Mr. Sloss. If admit, please provide the dates on which this information was provided and any documents demonstrating compliance with this tariff provision.

- Staff 1-13 If Mr. Sloss filed a complaint with AEP Texas before filing an informal complaint with the Commission, please provide all documents related to the investigation and supervisory review performed pursuant to 16 TAC § 25.30(a)–(b).
- Staff 1-14 Please identify and describe any instance between September 3, 2016 and the present where Mr. Sloss unreasonably withheld, conditioned, or delayed his performance of any obligation or duty imposed under the AEP Texas Central Division tariff.
- Staff 1-15 Please identify and describe any instance between September 3, 2016, and the present where Mr. Sloss unreasonably withheld, conditioned, or delayed giving any consent required for another party to exercise rights that are conferred under the AEP Texas Central Division tariff but made subject to that consent?
- Staff 1-16 Referencing AEP’s Response to Order No. 1 and Motion to Dismiss at section II, please provide a copy the ticket for tree trimming and any resulting documents.
- Staff 1-17 Please provide trouble call ticket # 1020311 and any internal communications regarding that ticket.