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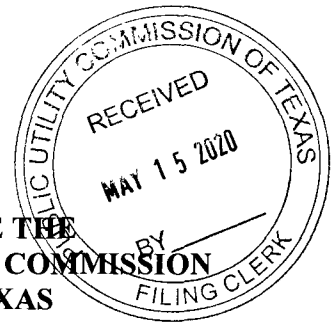
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SOAH DOCKET NO. 473-20-1118
DOCKET NO. 49795

COMPLAINT OF PETTY GROUP, LLP
AGAINST RIO GRANDE ELECTRIC
COOPERATIVE, INC.

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BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS



**RIO GRANDE ELECTRIC COOPERATIVE, INC.'S
THIRD SET OF REQUESTS FOR INFORMATION TO PETTY GROUP, LLP**

TO: Petty Group, LLP, by and through their attorneys of record, Meghan Griffiths, Jennifer Ferri, Jackson Walker LLP, 1200 Congress Avenue, Suite 1100, Austin, Texas 78701.

Pursuant to P.U.C. PROC. R. 22.144, Rio Grande Electric Cooperative, Inc. ("RGEC" or "Rio Grande") requests that Petty Group, LLP ("Petty") fully respond to the requests for information ("RFI") attached as Exhibit A to this pleading, within twenty (10) days of receipt.

Responses to the attached requests shall conform in all respects to the Commission's rules, including the requirement in P.U.C. PROC. R. 22.144(c)(2)(F) that they be made under oath. Responses shall identify the preparer or person under whose direct supervision each response was prepared, and the sponsoring witnesses, if any. Each request shall be answered separately; responses shall be preceded by the request to which the answer pertains.

Any information responsive to and any questions regarding these requests should be directed to the undersigned.

Respectfully submitted,

COZEN O'CONNOR

By: /s/ Tammy Shea

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**ATTORNEYS FOR RIO GRANDE
ELECTRIC COOPERATIVE, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document will be served on all parties of record on May __, 2020 in accordance with 16 TAC § 22.74.

/s/ Tammy Shea

Tammy Shea

**RIO GRANDE ELECTRIC COOPERATIVE, INC.'S
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General Instructions

1. In responding to each RFI, please provide information available from all corporate and individual files, as well as from all past and present employees, officers, and board members and all predecessors and affiliates, as defined below.
2. These RFIs are continuing in nature, and require supplemental responses in accordance with P.U.C. PROC. R. 22.144(i).
3. If any information is not available in the exact form requested, provide whatever information or documents that best respond to the information request.
4. If the requested information or data are available for only part of the period requested or are otherwise incomplete, please provide such data as are available.
5. If any RFI appears ambiguous, please contact counsel for RGEC as soon as possible to obtain clarification.
6. Each document of more than one page should be stapled or otherwise bound, and the individual pages numbered consecutively.
7. If, in the case of any RFI seeking documents, there are no responsive documents, so state and provide a narrative answer to the request.
8. The terms "and" and "or" should be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of each RFI information or documents which might otherwise be considered to be beyond its scope.
9. The singular form of a word should be interpreted as plural, and the plural form of a word should be interpreted as singular, whenever appropriate, in order to bring within the scope of each data request information or documents which might otherwise be considered to be beyond its scope.
10. When the recipient of the information request is requested to provide a study, schedule, or analysis, it should also provide the workpapers, underlying facts, inferences, suppositions, estimates, and conclusions necessary to support each study, schedule, or analysis.
11. If the actual data are unavailable, but estimates or approximations are available, provide the estimates or approximations that are the best available information and explain the procedure for developing the information supplied.

**RIO GRANDE ELECTRIC COOPERATIVE, INC.'S
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Definitions

1. "Communication" means any oral statement, dialogue, telephone conversation, colloquy, discussion or conversation and any transfer of thought or ideas between persons, whether written, printed, oral, pictorial or otherwise, including any transfer of data from one location to another by electronic or similar means.
3. "Date" shall mean the exact day, month and year if ascertainable, or if not the best approximation thereof in relation to other events.
4. To "describe," "detail," or "state" shall mean to relate as completely as possible each and every act, omission, incident, event, condition, circumstance, or thing relating directly or indirectly to the subject of the description, including all pertinent dates. These terms call for answers independent from any documents that are required in response to requests. Such answers should be in a form (e.g., narrative, tabular, etc.) appropriate to a complete response to the request.
5. 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, by you if necessary, into reasonably usable 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.
6. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."
7. To "explain" means to make known in detail, to make clear the cause or reason of and account for each act, omission, incident, event, condition, circumstance, decision, and/or thing relating directly or indirectly to the subject of the explanation including all pertinent dates. This term call for answers independent from any documents that are required in response to requests. Such answers should be in a form (e.g., narrative, tabular, etc.) appropriate to a complete response to the request.

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8. To “identify” a person means to include his or her full name, including middle name or initial, his or her employer or other organizational affiliation at the date of the relevant transaction or event and at the present, his or her title and duties in the company or other organization with which he or she was then affiliated and is now affiliated, and his or her last known business address and telephone number or if not available last known residence address and telephone number.
9. “Identification” of, or to “identify,” a document means to provide facts sufficient to establish the identity of the document or other thing(s) at issue, such as (a) the type or nature of the document (e.g., letter, memorandum, corporate minutes), (b) the data, if any, appearing thereon, (c) the date, if known, on which the document was prepared, (d) the title of the document, (e) the general subject matter of the document, (f) the number of pages comprising the document, (g) the identity of each person who wrote, dictated, or otherwise participated in the writing of the document, (h) the identity of each person who signed or initialed the document, (i) the identity of each person to whom the document was addressed, (j) the present location of the document; and (k) the identity of each person having custody of, or control over, the document. Identification of the document includes identifying all documents known or believed to exist, whether or not in the custody of its attorneys or other representatives. The final version and each draft of each document should be identified and produced separately. If a document is no longer in your possession or control, state what disposition was made of it. A document need not be identified if it is produced.
10. The term “including,” or one of its inflections, means and refers to “including but not limited to.”
11. “RGEC” refers to, for purposes of these RFIs, Rio Grande Electric Cooperative, Inc. and any merged, consolidated, or acquired predecessors or predecessor in interest, its subsidiaries, past or present, its affiliates, past or present, and its employees, officers, directors, agents, consultants, attorneys, and all persons acting under contractual arrangements with, or purporting to act on its behalf.
12. “Petty” refers to, for purposes of these RFIs, Petty Group, LLP, and any merged, consolidated, or acquired predecessors or predecessor in interest, its subsidiaries, past or present, its affiliates, past or present, and its employees, officers, directors, agents, consultants, attorneys, and all persons acting under contractual arrangements with, or purporting to act on its behalf.
13. “Person” refers to, without limiting the generality of its meaning, every natural person, corporate entity, partnership, association (whether formally organized or *ad hoc*), joint venture, cooperative, municipality, commission, or governmental body or agency.

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14. “Relating to” or “relates to” means comprising, embodying, addressing, presenting, discussing, concerning, referring to, pertaining to, regarding, containing, reflecting, evidencing, describing, showing, identifying, providing, disproving, consisting of, supporting, contradicting, commenting upon, analyzing, or mentioning in any way.

**RIO GRANDE ELECTRIC COOPERATIVE, INC.'S
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- 3.1. Provide all invoices from MC Electric related to work performed at the Petty Ranch.
- 3.2. Provide all load sheets, or other documents demonstrating calculations of the load for Petty Ranch, completed by Nathan Morgan, which Mr. Morgan stated he would provide to Petty's counsel at his deposition on April 17, 2020.
- 3.3. Provide the name of the manufacturer of the switches for the LED fixtures that Petty claims experienced problems due to power issues.
- 3.4. Provide all testing results from Nathan Morgan's tests with the Fluke 435-II Power Quality and Energy Analyzer.
- 3.5. Provide all communications, including texts and emails, between Petty Group's attorneys and Justin Lankutis.
- 3.6. Provide all communications, including texts and emails, between Petty Group and Justin Lakuntis.
- 3.7. Provide all communications, including texts and emails, between Justin Lakuntis and MTE Corp., referenced in Mr. Lakuntis's direct testimony on page 7.
- 3.8. Provide all communications, including texts and emails, between Justin Lakuntis and Eaton, referenced in Mr. Lakuntis's direct testimony on page 7.
- 3.9. Provide all communications, including texts and emails, between Justin Lakuntis and Transcoil LLC, referenced in Mr. Lakuntis's direct testimony on page 7.
- 3.10. Provide all communications, including texts and emails, between Justin Lakuntis and Emerson, referenced in Mr. Lakuntis's direct testimony on page 7.
- 3.11. Provide all communications, including texts and emails, between Justin Lakuntis and Applied Power Industrial Sales, referenced in Mr. Lakuntis's direct testimony on page 7.
- 3.12. Provide any documentation showing research or requests for quotes on harmonic filtering equipment for the Petty Ranch.
- 3.13. Provide all communications, including emails and text messages between Petty Group's attorneys and Gilbert Marquez.
- 3.14. Provide all communications, including emails and text messages, between anyone at Petty Group and Gilbert Marquez.
- 3.15. Provide all invoices for labor and/or repairs on the air conditioning units, which Mr. Marquez testified he would provide to Petty Group's counsel on April 15, 2020.

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- 3.16. Provide all invoices for labor and/or repairs on the ice machines, which Mr. Marquez testified he would provide to Petty Group's counsel on April 15, 2020.
- 3.17. Provide a list of any other engagements that Robert Grubb has handled in which he opined on harmonics.
- 3.18. Provide engagement letters for each testifying expert on behalf of Petty in this case.
- 3.19. Provide a detailed listing of the costs of "investigating" harmonic issues that you are requesting in this case and invoices supporting each cost you allege relates to investigating harmonics.
- 3.20. Admit that you did not preserve or save any components from the [REDACTED].
- 3.21. Describe all testing you performed on the components of the [REDACTED].
- 3.22. Admit that you did not preserve or save any components from the [REDACTED].
- 3.23. Describe all testing you performed on the components of the [REDACTED].
- 3.24. Admit that you did not preserve or save any components from the [REDACTED].
- 3.25. Describe all testing you performed on the components of the [REDACTED].
- 3.26. Admit that you did not preserve or save any components from the [REDACTED].
- 3.27. Describe all testing you performed on the components of the [REDACTED].
- 3.28. Admit that you did not preserve or save any components from the [REDACTED].
- 3.29. Describe all testing you performed on the components of the [REDACTED].
- 3.30. Admit that you did not preserve or save any components from the [REDACTED].
- 3.31. Describe all testing you performed on the components of the [REDACTED].

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- 3.32. Admit that you did not preserve or save any components from the [REDACTED].
- 3.33. Describe all testing you performed on the components of the [REDACTED].
- 3.34. Admit that you did not preserve or save any components from the [REDACTED].
- 3.35. Describe all testing you performed on the components of the [REDACTED].
- 3.36. Provide all testing data which demonstrates that RGEC was experiencing harmonics that effected the Petty Ranch in in 2016.