

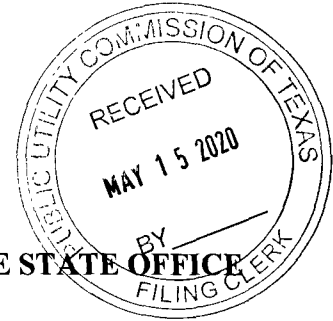
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**PUC DOCKET NO. 49795
SOAH DOCKET NO. 473-20-1118**



COMPLAINT OF PETTY GROUP, LLP	§	BEFORE THE STATE OFFICE
	§	
AGAINST RIO GRANDE ELECTRIC	§	OF
	§	
COOPERATIVE, INC.	§	ADMINISTRATIVE HEARINGS

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

Pursuant to 16 Tex. Admin. Code § 22.144, Petty Group, LLP ("Petty") hereby files its Seventh Set of Requests for Information ("RFIs") to Rio Grande Electric Cooperative, Inc. ("RGEC"). Responses to the RFIs set forth in Exhibit "A" hereto should be served on the following persons at the address indicated below within ten (10) days of service hereof.

Meghan Griffiths
Jennifer Ferri
Jackson Walker LLP
100 Congress Avenue, Suite 1100
Austin, Texas 78701
512-236-2363
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Exhibit "A" is attached hereto and incorporated herein for all purposes.

DEFINITIONS

1. "RGEC," "you," or "your" refer to Rio Grande Electric Cooperative, Inc., and any person acting or purporting to act on its behalf, including without limitation any officers, employees, members of the board of directors, consultants, agents, attorneys, and affiliates.
2. "Document" and/or "documents" refers to all written, recorded, or graphic material within the scope of Rule 192 of the Texas Rules of Civil Procedure, however produced or reproduced. Without limiting the foregoing, the terms include the following: agreements, contracts, communications, correspondence, letters, faxes, e-mail, instant message records, text message records, memoranda, records, reports, summaries, records of telephone conversations, diary entries, meeting minutes, calendars, appointment books, drafts, notes, telephone bills or records, bills, statements, records of obligations and expenditures,

invoices, lists, journals, receipts, checks, canceled checks, letters of credit, envelopes, or folders, voice recordings, photographs, electronic data, electronic media, and any other data or information that exists in written, electronic, or magnetic form.

3. "Communication" refers to any oral or written utterance, notation, or statement of any nature whatsoever, by or to whomsoever made, and every manner or means of disclosure, transfer, or exchange of information, whether orally or by document, whether in person, in writing, by telephone, by cell phone, or otherwise, including, but not limited to: correspondence, conversation, dialogues, discussions, interviews, consultations, agreements, telegrams, telexes, texts, cables, memorandum, electronic mail, hand-deliveries, facsimile, or other understandings and exchanges of ideas or information between two or more persons.
4. "Relate to," "related to," or "relating to" means concerning, relating to, referring to, having a relationship with or to, pertaining to, identifying, describing, explaining, summarizing, or to be otherwise factually, legally or logistically connected to the subject matter of the particular request.
5. "Petty Ranch" means the property with the address of 7604 Gates Road, Catarina, Texas.
6. "Identify" or "identification" means:
 - a. When used in reference to a natural person, that you should state that person's full name, address, and telephone number.
 - b. When used with respect to a "document," "that you should state the date, subject and substance, author, type of document (e.g., letter, telegram, memorandum, computer printout, sound reproduction, chart, photograph, film, etc.), its present location and the identity of each of its present custodians and shall include all documents including those that you may claim are privileged. If any document was, but no longer is, in your possession or subject to your control, state whether it is (a) missing or lost; (b) was destroyed; (c) was transferred voluntarily or involuntarily to others; or (d) otherwise disposed of, and in each such instance explain the circumstances surrounding any authorization for such disposition.
 - c. When used in respect to any meeting or conversation, that you should state the date and specific location of the meeting or conversation plus the "identification" of all persons present, attending, participating, witnesses or having knowledge of the meeting or conversations.
 - d. When used in respect to an occurrence, event, or happening, that you should describe in detail what occurred or transpired at the occurrence, event or happening; the date, specific location, and duration of the occurrence, event, or happening; and "identify" all persons present, attending, participating, witnessing, or having knowledge of the occurrence, event, or happening.
 - e. When used in respect to a statement, that you should state the substance of the statement, the date and specific location of the statement, and "identify" all persons present, witnessing, making or having knowledge of the statement.

INSTRUCTIONS

1. Your responses should conform to the Texas Rules of Civil Procedure and/or the rules of procedure of the Public Utility Commission of Texas.
2. Each document that is made available for review in response to these RFIs shall be produced as it is kept in the usual course of business (i.e., in the file folder or binder in which the documents were located when the request was served) or the documents shall be organized or labeled to correspond to the category of documents requested.
3. If the documents requested herein include electronic data and magnetic data, they shall be produced in their native format with all metadata intact.
4. When answering these RFIs, you are requested to furnish all information available to you, including information in the possession of your attorneys, investigators, consultants, employees, agents, representatives, or any other person acting on your behalf, and not merely such information as is held or known by you personally.
5. In the event any document or other thing referred to in these RFIs is not in your possession, custody, or control, specify what disposition was made of it and identify the person or entity who now has possession, custody, or control of the document or thing.
6. If you withhold any requested documents or information—including redactions of portions of documents—pursuant to an applicable privilege, provide a privilege log describing the documents, communications, or things withheld or redacted with sufficient specificity that the applicability of the privilege or protection may be assessed. See Tex. R. Civ. P. 193.3.
7. PLEASE TAKE FURTHER NOTICE that these RFIs are continuing in nature. Your answers and responses must include all documents that are currently in your possession, custody, and control and that come into your possession, custody, or control in the future.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: /s/ Meghan Griffiths
Meghan Griffiths
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ATTORNEYS FOR PETTY GROUP, LLP

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of May 2020, a true and correct copy of the foregoing document was served on all parties of record by facsimile, certified mail and electronic mail.

/s/ Jennifer Ferri
Jennifer Ferri

EXHIBIT A

REQUESTS FOR INFORMATION

Direct Testimony of Rogelio Andrade

Petty 7-1: Refer to Exhibit G to the Direct Testimony of Rogelio Andrade ("Petty Ranch Harmonics Summary"). Please provide the following related to the Petty Ranch Harmonics Summary:

- a. Identify the person(s) who prepared the Petty Ranch Harmonics Summary.
- b. Identify when the Petty Ranch Harmonics Summary was created.
- c. Identify the person(s) who concluded [REDACTED]
[REDACTED]
- d. Please identify the qualifications and experience of the person(s) identified in subsections (a) and (b) with respect to harmonics. If he or she has an engineering degree or any training in harmonics, identify when those qualifications were obtained.

Petty 7-2: Please identify the voltage harmonics recorded at the Petty Ranch on the dates RGEC took the data collections identified in the Petty Ranch Harmonics Summary.

Petty 7-3 Please indicate (1) the make and model of the metering equipment that was used to gather the data contained in the Petty Harmonics Report; and (2) where that metering equipment was placed when it obtained the data contained in the Petty Harmonics Report.

Petty 7-4: Please provide copies of all communications, including but not limited to e-mail correspondence and text messages, relating to the Petty Harmonics Report or the harmonics data contained therein.

Petty 7-5: Refer to page 12, lines 14-16 of the Direct Testimony of Rogelio Andrade. Please provide the following:

- a. Identify the oil and gas customer that contacted RGEC with concerns regarding voltage irregularities;
- b. Identify when the customer contacted RGEC;
- c. Provide copies of all communications, including but not limited to e-mail correspondence and text messages, regarding voltage irregularities or harmonics experienced by that customer.

EXHIBIT A

- d. Provide copies of all communications, including but not limited to e-mail correspondence and text messages, regarding RGEC's correspondence with the manufacturer that suggested that meter failures were the result of harmonics.
- Petty 7-6: Refer to page 22, line 5 of the Direct Testimony of Rogelio Andrade. Please identify the engineers that Mr. Andrade consulted regarding the source of Petty's power quality problems. Provide copies of all communications, including but not limited to e-mail correspondence and text messages, relating to that consultation.
- Petty 7-7: Please provide all reports or data showing harmonic conditions at the Petty Ranch from February 2019 to present.
- Petty 7-8: Please refer to Exhibit F to the Direct Testimony of Rogelio Andrade. Please provide:
- a. When the document was created.
 - b. The document's version number, if any.
 - c. The most recent version of the document in native format.
- Petty 7-9: Admit or Deny. Rogelio Andrade is a testifying expert on harmonics.
- Petty 7-10: Refer to page 21, line 6-15 of the Direct Testimony of Rogelio Andrade. Provide all communications, including but not limited to text messages, related to RGEC's conclusion that Petty was emitting current harmonics.
- Petty 7-11: Refer to page 22, line 5 of the Direct Testimony of Rogelio Andrade. Identify the engineers that Mr. Andrade is referring to.

Direct Testimony of Amber Conrad

- Petty 7-12: Refer to page 2, line 22 of the Direct Testimony of Amber Conrad. Please provide the following:
- a. Identify the members of RGEC's "internal task force."
 - b. Identify when each member received PMI training or any other training in harmonics.
 - c. Identify which member(s) of the "internal task force" is an expert on harmonics.
- Petty 7-13: Refer to page 6, lines 8-10 of the Direct Testimony of Amber Conrad. Please identify the consultants and material alliance supplier with whom RGEC has worked to understand the use of harmonic filters by residential customers, and provide copies of all communications, including but not limited to e-mail correspondence and text messages, between RGEC and its consultants or suppliers regarding the use of harmonic filters by residential customers.

EXHIBIT A

- Petty 7-14: Please identify the filter manufacturers that RGEC understands have developed or are developing harmonic filters for use by residential customers, and the model numbers of those filters.
- Petty 7-15: Please refer to Exhibit B of the Direct Testimony of Amber Conrad, date item 3/6/19. Please provide the following:
- a. Which “internal task force” team member or outside RGEC consultant identified 8% as the voltage THD target?
 - b. Provide all communications, including but not limited to text messages, related to RGEC’s conclusion that 8% is the appropriate voltage THD target for the Petty Ranch.
- Petty 7-16: Please refer to Exhibit B of the Direct Testimony of Amber Conrad. To the extent not already provided in discovery, please provide the following:
- a. All communications, including but not limited to text messages, with Electrical Consultants, Inc. (“ECI”) related to harmonics and harmonics mitigation on the Brundage line.
 - b. All communications, including but not limited to text messages, with Schneider Engineering related to harmonics and harmonic mitigation.
 - c. All communications, including but not limited to text messages, with Dave Mueller or other representatives of EnerNex related to harmonics and harmonics mitigation.
 - d. All communications, including but not limited to text messages, with [REDACTED] related to harmonics and harmonics mitigation.
- Petty 7-17: Refer to the whitepapers attached to the Direct Testimony of Amber Conrad. If not already provided, please provide complete copies of the whitepapers rather than excerpts.
- Petty 7-18: Admit or Deny. Amber Conrad is a testifying expert on harmonics.

Direct Testimony of David Mueller

- Petty 7-19: Admit or Deny. The heating effects of harmonic currents can cause destruction of equipment, conductors, and fires.
- Petty 7-20: Please refer to page 5, line 24 – page 6, line 3 of the Direct Testimony of David Mueller. Please provide all communications, including but not limited to text messages, related to Mr. Mueller’s analysis of the point of common coupling at the Petty Ranch.
- Petty 7-21: Please refer to page 1, line 16 – 18 of the Direct Testimony of David Mueller. Please list and generally describe Mr. Mueller’s prior engagements with electric utilities,

EXHIBIT A

industrial plants, data centers and large commercial office clients on the identification and solution of power system harmonics problems.

Direct Testimony of Danny Wells

- Petty 7-22: Admit or Deny. The heating effects of harmonic currents can cause destruction of equipment, conductors, and fires.
- Petty 7-23: Please refer to the resume of Mr. Danny Wells. Please identify any investigations performed by Mr. Wells related to electrical failures, electrocution, fires, or equipment damage related to harmonics.
- Petty 7-24: Has Mr. Wells ever studied or taken course related to harmonics? If so, please describe.