

**June 11, 2024**

**DOCKET NO.**  
**24-00028**

<sup>1</sup> *Memo*, pp. 4-5 (May 20, 2024).

the additional discovery requested would include the inability of the Consumer Advocate to test the merits of TWS's proposed 2024 ARM Filing. Therefore, the Consumer Advocate would not have the ability to develop fully prepared positions on the myriad of issues presented in the *Petition*.<sup>2</sup> According to the Consumer Advocate, "[w]ithout the requested discovery – and without receiving discovery responses in the format requested – the Consumer Advocate will be severely constrained in representing the interests of households that constitute the Company's consumers."<sup>3</sup>

TPUC Rule 1220-1-2-.11 (5)(a) provides as follows:

No party shall serve on any other party more than forty (40) discovery requests including sub-parts without first having obtained leave of the Commission or a Hearing Officer. Any motion seeking permission to serve more than forty (40) discovery requests shall set forth the additional requests. The motion shall be accompanied by a memorandum establishing good cause for the service of additional interrogatories or requests for production. If a party is served with more than forty (40) discovery requests without an order authorizing the same, such party need only respond to the first forty (40) requests.

TPUC Rules allow a minimum of forty discovery requests to be served upon a party. Nevertheless, upon compliance with TPUC Rule 1220-1-2-.11(5)(a) and a showing of good cause, the Commission has been flexible in permitting supplemental discovery to occur. In light of the foregoing, the Administrative Judge finds that the Consumer Advocate has met the requirements of the Rule by showing good cause to issue additional discovery requests to TWS. Further, the Company did not object the *Motion*. Therefore, based on these findings, the Administrative Judge grants the *Motion*.

**IT IS THEREFORE ORDERED THAT:**

The *Consumer Advocate's Motion to Issue More than Forty Discovery Requests* is **GRANTED**.

  
Monica Smith-Ashford, Administrative Judge

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<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 5.