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APPLICATION OF TEXAS-NEW
MEXICO POWER COMPANY FOR
APPROVAL OF AN ENERGY
EFFICIENCY COST RECOVERY
FACTOR

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PUBLIC UTILITY COMMISSION
OF TEXAS

**TEXAS-NEW MEXICO POWER COMPANY'S
RESPONSE TO STAFF'S FIFTH REQUESTS FOR INFORMATION**

Texas-New Mexico Power Company (TNMP) files this response to Commission Staff's Fifth Request for Information. Staff's Fifth Request for Information was received on June 7, 2012. TNMP's responses to requests for information shall be made within twenty (20) calendar days, making the responses due by June 27, 2012. This response is therefore timely. All parties may treat the answers as if they were filed under oath.

TNMP files these responses without agreeing to the relevancy of the information sought and without waiving their right to object at the time of the hearing to the admissibility of information produced herein.

Respectfully submitted,

TEXAS-NEW MEXICO POWER COMPANY



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Corporate Counsel
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CERTIFICATE OF SERVICE

Counsel for Texas-New Mexico Power Company hereby certifies that a true and correct copy of its responses to Staff's Fifth Request for Information was served on all parties of record on June 27, 2012 by electronic transmission, fax, or overnight delivery.



Counsel

**TEXAS-NEW MEXICO POWER COMPANY'S
RESPONSES TO STAFF'S FIFTH REQUEST FOR INFORMATION
QUESTIONS STAFF 5-1 through STAFF 5-5**

Staff 5-1 **Please provide TNMP's 2013 goal calculation under PURA § 39.905(a)(3)(A)(i) reflecting 30% of the electric utility's annual growth in demand of residential and commercial customers.**

Prepared by: Stacy Whitehurst

Sponsored by: Stacy Whitehurst

Attachment: n/a

Response

As set forth in the pre-filed testimony of TNMP Witness Stacy Whitehurst, PURA § 39.905(a)(3)(A)(i) is not determinative of TNMP goal calculation in this proceeding. This is supported by the Statement of Legislative Intent for House Bill 1125 amending PURA § 39.905 printed in the *House Journal* in order to provide official guidance. Specifically, the Legislature intends for a utility's goal to change from the growth and demand goal to the percent of peak demand goal when a utility actually achieves four-tenths of one percent of its summer weather peak demand. Once that occurs, the utility will employ a goal of four-tenths of its summer weather adjusted peak demand. TNMP has already achieved four-tenths of one percent of its summer weather peak demand.

CSSB 1125 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HARDCASTLE: In Section 1 of the bill, it added Section 39.905 (a) (3) (A) and (B) where they are revising energy efficiency goals, is that correct?

REPRESENTATIVE ANCHIA: Yes, that's correct; we're revising the goal on energy efficiency from 10 percent to 30 percent of annual growth in demand beginning in 2013. We're also including a transition period for moving to a goal based on percent of peak demand metric for those electric utilities who achieve actual reductions of four-tenths of one percent of their summer weather adjusted peak demand.

HARDCASTLE: Thank you, and could you explain the intent behind the transition period?

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ANCHIA: You bet. Under this bill, it is the intent that the electric utilities goal will not change from the growth and demand goal to the percent of peak demand goal until that utility actually hits four-tenths of one percent of its summer weather peak demands. Once that happens with the utility it will transition to a goal of four-tenths of its summer weather adjusted peak demand."

As shown in the Statement of Legislative Intent, the intent of the modification of PURA 39.905 was to move away from a goal established by peak demand growth to a goal that is calculated on the utility's summer weather-adjusted peak demand for residential and commercial customers, but the Legislature was aware that some utilities needed time to move from 30% of peak demand growth to 0.4% of peak demand savings. For example, Oncor's 2012 EEPR shows a 30% peak demand growth goal of 63.1 MW, while a 0.4% of Oncor's peak demand would be 93.74 MW using the 2011 actual adjusted peak demand for residential and commercial customer shown in table 4.

In order for TNMP to meet 30 percent of peak demand growth, which can be calculated from SMC-2 page 44 (using such data, the figure would be 7.26 MW), TNMP would need to adjust its projected 2013 budget accordingly. Without taking into account any future adjustments to deemed savings templates that would reduce savings, any more expensive measures that would be required for implementation, or higher incentives that might be required to increase participation, TNMP would be required to increase the residential budgets far past the cost caps established by the Commission's rules. As an example, the budget below makes the following assumptions: (1) load management savings mirror 2011 actual savings, (2) non-load management commercial budgets would stay the same because of limited increase potential in a short time period, (3) solar PV budget would stay the same until the baseline study has been reviewed, and (4) the energy star new homes budget stays the same based on the current political uncertainty and the high unemployment rates. Additionally, this budget illustration might not support TNMP's statutory goal if load management programs are transitioned from utilities (i.e., to ERCOT), or if deemed

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QUESTIONS STAFF 5-1 through STAFF 5-5**

savings values are further reduced through future or pending adjustments.

Example Budget (for illustrative purposes only)

Program	kW	Incentive	Admin @ 15%	Total
Small Commercial Solutions Pilot MTP	314	377,117	66,550	\$ 443,667
SCORE/CitySmart Pilot MTP	833	500,000	88,235	\$ 588,235
Commercial Solutions Pilot MTP	833	500,000	88,235	\$ 588,235
Load Management Pilot	259	10,360	1,828	\$ 12,188
			-	
Residential SOP - Large Project	2,200	1,484,998	262,058	\$ 1,747,057
Residential SOP - Small Projects	336	226,909	40,043	\$ 266,952
ENERGY STAR New Homes MTP	721	160,000	28,235	\$ 188,235
Small DRG (Solar PV) Pilot	221	400,000	70,588	\$ 470,588
			-	
Hard-to-Reach SOP Large Projects	1241.452	1,117,833	197,265	\$ 1,315,098
Hard-to-Reach SOP Small Projects	312.8593	281,348	49,650	\$ 330,998
Low Income Weatherization	302.8744	890,807	157,201	\$ 1,048,008
	7,575			\$ 6,999,263
Residential	5,335			\$ 5,366,936
Nonresidential	2,240			\$ 1,632,326
Residential billing units				2,364,763
Residential EECRF per month				\$ 2.27

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Staff 5-2 **Please explain any changes to the budget that were made in accordance to the reduction in TNMP's goal from 5.016MW to 4.8 MW.**

Prepared by: Stacy Whitehurst
Sponsored by: Stefani Case, Stacy Whitehurst
Attachment: n/a

Response No changes have been made. TNMP's 2013 budget is based on estimates.

**TEXAS-NEW MEXICO POWER COMPANY'S
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QUESTIONS STAFF 5-1 through STAFF 5-5**

Staff 5-3 Small Distributed Renewable Generation Program (Solar PV) Pilot:

- A) Does TNMP intend to adjust for line losses in the Solar PV Pilot?**
- B) In accordance with PURA 39.905 (a)(4)(A), does TNMP utilize any retail electric providers as program implementer or provider?**
- C) Please provide the appropriate useful measure life TNMP will apply to solar electric systems installed under the Solar PV Pilot.**
- D) As a pilot program, how does TNMP evaluate the appropriate incentive levels for the program and does the Company plan further adjustments to the current incentive level?**
- E) Does TNMP plan to transition the Solar PV Pilot into its Market Transformation Program (MTP) or Standard Offer Program (SOP) portfolio of programs, and if so, when?**

Prepared by: Stacy Whitehurst, Stefani Case

Sponsored by: Stacy Whitehurst, Stefani Case

Attachment: n/a

Response As a threshold matter, the Small Distributed Renewable Generation Program (Solar PV) Pilot should not be evaluated in the same manner as other energy efficiency programs. First, as addressed previously, the Solar PV is merely a pilot program and is thus not subject to the same cost-effectiveness requirements as a traditional program. Secondly, the Solar PV is a market transformation program and PUC SUBST. R. 25.181(k) states that "[m]arket transformation programs may operate over a period of more than one year and may demonstrate cost-effectiveness over a period longer than one year." Third, PUC SUBST. R. 25.181(d) does not specify that renewable programs are subject to the cost-effectiveness standard. In fact, the very definition of "renewable demand side management technologies" is defined in PUC SUBST. R. 25.181(c)(28) by referencing PUC SUBST. R. 25.173(c). Notably, PUC SUBST. R. 25.173(c) does not incorporate a cost-effectiveness standard for renewables. This renders renewable programs distinct from those other programs which are specifically bound by the cost-effectiveness standard in PUC SUBST. R. 25.181. Additionally, in PUC SUBST. R.

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25.181(l)(1)(e), the Commission separately addresses the permission to use renewable technologies, inherently recognizing that renewable programs are considered separately from other more traditional programs. TNMP believes that the renewable programs, due to their uniqueness should not be held to the same cost-effectiveness standard as other more traditional programs.

- A) TNMP does not intend to adjust for line losses in the Solar PV Pilot in 2013.
- B) TNMP has requested participation from REP in all energy efficiency programs, not just the Solar PV. At TNMP's 2011 REP meeting, TNMP provided an overview of TNMP's energy efficiency programs, and solicited participation from REPs. Currently, there are no REPs acting as the program implementer, but TNMP has installed metering at installations capable of measuring in-flow and out-flow and allow REPs to be providers of service under PURA 39.916 (j). TNMP's Solar PV was developed under PURA 39.905(d)(13).
- C) The appropriate useful measure life for solar electric systems installed under the Solar PV Pilot is 30 years. TNMP's response in Staff's 3-2 was a demonstration of an alternative cost test, as requested by the question. See the analysis below which shows the 2011 results, adjusted for a) EUL 30 and no admin and, b) EUL 30 and only direct admin.

2011	Savings		Costs			Benefits				
Customer Class and Program	kW	kWh	Incentives	Admin & R&D	Total	Avoided Capacity Costs	Avoided Energy Costs	Total	Net Benefits	Benefit Cost Ratio
Small DRG (Solar PV) Pilot	47	89,936	\$107,540		\$107,540	\$43,049	\$66,389	\$109,437	\$1,897	1.02 ^a
Small DRG (Solar PV) Pilot	47	89,936	\$107,540	\$16,567	\$124,107	\$43,049	\$66,389	\$109,437	-\$14,669	0.88 ^b

a. EUL 30 and no admin.

b. EUL 30 and only direct admin.

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- D) As noted in SMC-2 p. 38, the Solar PV pilot program "... aims to transform the market by increasing the number of qualified companies offering installation services in the utility's service area, and by decreasing the average installed cost of systems by creating economies of scale." TNMP takes these strides into consideration when justifying a lower rate to incentivize the same level of participation and transformation. Year-after-year TNMP has seen the number of companies offering PV installations increase, installed costs decline, and has adjusted the incentive level accordingly.
- E) As stated in response to Staff's RR 3-2, TNMP has commissioned a baseline study to determine whether this program should be converted to a permanent part of their energy efficiency portfolio. Evaluation of the results of the study is currently under way and a decision will be made in the next few months about whether to continue the Solar PV program as a MTP, transition it to an SOP, or discontinue the program.

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Staff 5-4 Will the measures offered under the commercial SOP be incentivized at the same incentive payment level under the SCORE/CitySmart, Commercial Solutions, and Small Commercial Solution Pilot MTPs?

Prepared by: Stefani Case

Sponsored by: Stefani Case

Attachment: N/A

Response TNMP has proposed elimination of the Commercial SOP in 2013; therefore, no measures will be incentivized under that program. TNMP is, however, merging those funds into the Commercial Market Transformation Programs. The same measures will be available under the SCORE/CitySmart, Commercial Solutions, and Small Commercial Solutions Pilot MTPs. The structure of the incentives in those programs is currently under development and revision. TNMP will be taking a measure-specific incentive approach, as opposed to the straight kW/kWh incentive available historically, to drive more comprehensive projects.

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QUESTIONS STAFF 5-1 through STAFF 5-5**

Staff 5-5 Load Management Pilot Program:

- A) Please provide detailed outreach efforts for the Company's Load Management Pilot, including any meetings or workshops for vendors and /or service providers and any RFPs for program implementers.**
- B) Have existing program participants or potential participants or vendors or service providers expressed any specific concerns regarding participation in the program? If so, please explain.**

Prepared by: Stefani Case
Sponsored by: Stefani Case
Attachment: TNMP_40348_Staff 5-5 (A)
 TNMP_40348_Staff 5-5 (B)

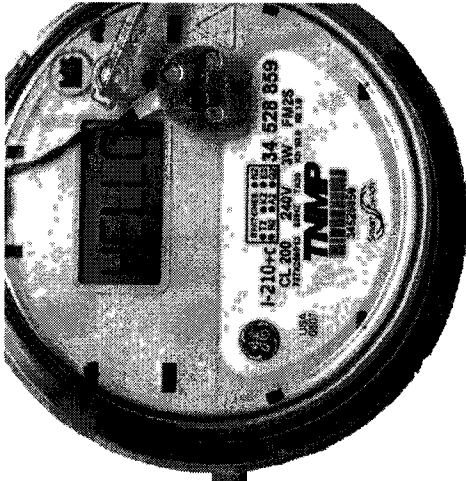
Response A) TNMP contracted with Frontier Associates in 2010 to perform TNMP's outreach efforts and, as a result of such efforts, TNMP was able to sign up two participants. In 2011, TNMP followed-up with contacts made in 2010 and worked with Comverge (an aggregator) to achieve additional participation. In 2012, TNMP followed-up with contacts from previous years, and worked with Comverge to provide outreach to commercial customers. TNMP reached out to Energy Curtailment Specialists (an aggregator) for 2012 and has contracted participation. Internally, TNMP has leveraged existing commercial and industrial relationships to solicit participation. Most recently, TNMP contracted with CLEAResult Consulting to perform more in-depth outreach in the form of leveraging existing relationships with schools and cities to analyze load, identify curtailment opportunities, develop a curtailment plan, and initiate the contracting process. Finally, TNMP has separately reached out to its REPs to engage in discussions on how TNMP and the REPs can work together to foster the retention of existing customers using energy efficiency alternatives and also

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provide an incentive to potential customers. Attached is a Regulatory Update previously prepared by TNMP and delivered to REPs.

- B) TNMP has repeatedly reached out to aggregators (EnerNOC, Constellation Energy, and Cirro Energy) and received little-to-no response. When aggregators have responded, the general consensus among them is that the achievable incentive is not worth the effort involved to setup their available load. Examples of responses for such aggregators are attached to this response.

Energy Efficiency



2010 Energy Efficiency Results

- \$2.75 Million Spent on Energy Efficiency Programs
- 5.189 MW Demand Reduction
- 11,937 MWh Energy Savings
- \$326,000 Energy Efficiency bonus achieved

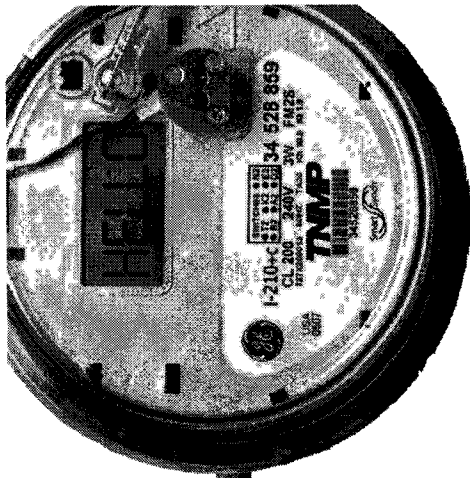
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Energy Efficiency

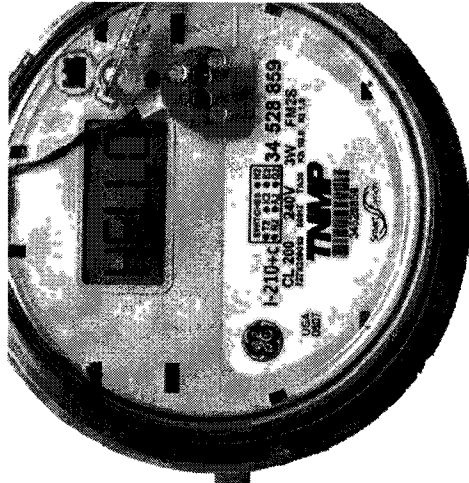


2011 Energy Efficiency Portfolio

Commercial	Residential	Hard-to-Reach (HTR)	R&D
Commercial/SOP	Residential SOP	HTR SOP	Elementary Energy Education Pilot*
Texas SCORE/CitySmart/Commercial Solutions Pilot	EnergyStar New Homes MTP	Low Income Weatherization Pilot	
Load Management Pilot	Underserved Area Pilot SOP		
	Solar PV Pilot		



Energy Efficiency

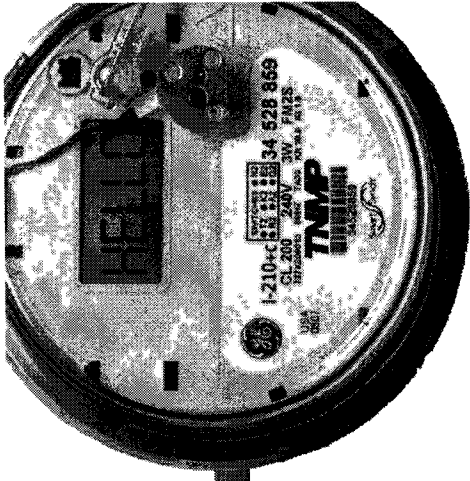


Future Programs, 2012/2013

Specific to R&D, TNMP added an Elementary Energy Education Pilot beginning this Fall and continuing in Spring of 2012; reaching a total of 70 elementary schools, and educating communities across our service territory.



Energy Efficiency Future Programs, cont.

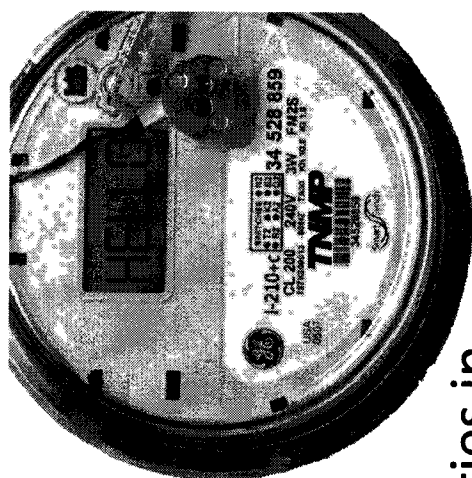


How can you become involved?

- TNMP would like to engage REPs in a discussion of how we can work together to foster the retention of existing customers and provide an incentive to potential customers.



Energy Efficiency



Contact Us

To participate in the discussion on REP opportunities in TNMP's Energy Efficiency Programs, please reach out to Stefani Case by email or phone:

Stefani Case, Energy Efficiency Project Manager
469-484-8590

Stefani.Case@TNMP.com

Contact information can also be found on the EE website at www.tnmpefficiency.com, conveniently printed on your reusable gift bags.



Case, Stefani

From: Jon Starr [jstarr@enernoc.com]
Sent: Tuesday, April 03, 2012 1:40 PM
To: Case, Stefani
Subject: overdue response

Stefani,

I see that you registered and hopefully were able to attend our webinar today, and it made me think I need to get back to you on the DR program emails. Unfortunately, we remain unable to support you at this point. The opportunity is simply too small for us to prioritize resources for that right now. I will continue to discuss with my team how we might find a way to support TNMP for future efforts. I hope we can stay in touch so as things change, we know more about how each company operates and can find a way to work together.

Very truly yours,

Jon Starr
Director, EnerNOC Utility Solutions
(925) 818-2787
jstarr@enernoc.com

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Case, Stefani

From: Robert Hanvey [rhanvey@comverge.com]
Sent: Thursday, May 10, 2012 3:00 PM
To: Case, Stefani
Subject: RE: Update

So far we have not been able to get anything. The last hope we had was with Terrence is meeting with them again today, but I believe the TNMP meters are on a facility that feeds the plant and they cannot curtail. They are looking at installing generation for next year, but nothing for this year. We will keep trying.

Where you able to get any data on your non-IDR commercial accounts?

Regards,

Robert Hanvey
 Mobile: 484-798-3359

From: Case, Stefani [mailto:Stefani.Case@tnmp.com]
Sent: 10 May 2012 13:20
To: Robert Hanvey
Subject: Update

Hi Robert

I hope you are enjoying this weather! I feel like we're on the verge of "too hot"...

Just wanted to check-in and see if Comverge was going to be signing up any loads this month. Trying to plan for administering the program and getting a head-count. Thanks!

Stefani Case
 Energy Efficiency Project Manager
 TNMP
 225 E. John Carpenter Freeway, Suite 1500
 Irving, TX 75062
 (469) 484-8590
stefani.case@tnmp.com

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REDACTED

Case, Stefani

From: Young, Jay [Jay.Young@constellation.com]
Sent: Thursday, May 10, 2012 10:52 AM
To: Case, Stefani
Subject: RE: TNMP via Oncor

My Pres and SVP want to hold off until 2013. We didn't begin entertaining this option until I met you at the Oncor meeting.

They don't think we will be able to get all of our "ducks in a row" (legal, changing enrollments, communication with customers, etc)

I don't think I'm going to the Nelson this year. Daughter 5th BDay party is May 19th.

Jay Young
 Business Development Manager
 Constellation Energy
 Load Response
 ERCOT Region, Texas

From: Case, Stefani [mailto:Stefani.Case@tnmp.com]
Sent: Thursday, May 10, 2012 10:24 AM
To: Young, Jay
Subject: RE: TNMP via Oncor

Hi Jay

The new shirts have arrived... so I thought I would check in. Please remind me if the reference to the 1.3MW customer who was suspended in ERS was a possibility for 2012, or a candidate for 2013?

Are you going to enjoy the Byron Nelson? Typically we get invited by outside counsel, but I'm not going to make it this year. It is funny driving around for lunch and seeing all the prep work being done.

Thanks,

Stefani Case
 TNMP Energy Efficiency
 469-484-8590

From: Young, Jay [mailto:Jay.Young@constellation.com]
Sent: Wednesday, April 25, 2012 8:50 AM
To: Case, Stefani
Subject: RE: TNMP via Oncor

We need to take our daughter there soon.

At this point, we have decided to wait until 2013 to enroll current DR customers in utility program TNMP W0348. Staff 5-5 (B) prepare until the last minute and our support team, Legal, etc won the argument. With that being said, we do have a few TNMP customers that are currently suspended in EILS. I am talking to my boss about doing one customer that has a 1.3MW load. I don't not know why they were suspended at this time but I should find out this afternoon.

There are a few more that are very small loads.

I will follow up today or tomorrow morning.

Jay

From: Case, Stefani [mailto:Stefani.Case@tnmp.com]

Sent: Tuesday, April 24, 2012 2:45 PM

To: Young, Jay

Subject: RE: TNMP via Oncor

Hi Jay

American Girl Doll was *so much fun* (\$\$\$)! How was your weekend?

Just wanted to check-in and see if there's anything you need from me. If any sites available for participation don't currently have IDR meters, the time is near for having them switched out before the summer peak starts. TNMP has contracted 1,150 kW so far, so there is plenty of room should you have any participants in TNMP service area.

Thanks!

Stefani

469-484-8590

From: Case, Stefani

Sent: Friday, April 13, 2012 2:12 PM

To: 'Young, Jay'

Subject: RE: TNMP via Oncor

Great!

TNMP has a budget for 4.8MW in the 2012 load management program. More details available:
<http://www.tnmpefficiency.com/lmp.html>.

Happy Friday the 13th ☺

Stefani

469-484-8590

From: Young, Jay [mailto:Jay.Young@constellation.com]

Sent: Wednesday, April 11, 2012 9:56 AM

To: Case, Stefani

Subject: RE: TNMP via Oncor

Very small world!!! I am in the process of getting a list of our customers on your lines.

There are a few different ways we can do business. Just like your program, we have a few as well. There might be a way to team up and use revenues to increase the funding for your program.

Once I get the list, I will contact you.

Jay Young
Business Development Manager
Constellation Energy
Load Response
ERCOT Region, Texas

From: Case, Stefani [<mailto:Stefani.Case@tnmp.com>]
Sent: Tuesday, April 10, 2012 3:54 PM
To: Young, Jay
Subject: TNMP via Oncor

Hi Jay

Random and great to run into you today! Just made my reservation at American Doll for lunch with the niece.

If you think there's an opportunity for Constellation Energy and TNMP to work together, please reach me at your convenience.

Glad for a small world!

Stefani Case

Energy Efficiency Project Manager
Texas-New Mexico Power Company
(469) 484-8590
stefani.case@tnmp.com

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