

**MOUNCE, GREEN, MYERS,
SAFI, PAXSON & GALATZAN**
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW

S. ANTHONY SAFI
H. KEITH MYERS
CARL H. GREEN
JOHN S. BIRKELBACH
KURT G. PAXSON
NORMAN J. GORDON
STEVEN L. HUGHES
MARK D. DORE
CLYDE A. PINE, JR.*
BRUCE A. KOEHLER
DARRYL S. VERGEN
ANDRES E. ALMANZAN
LAURA ENRIQUEZ*
DAVID M. MIRAZO*

JOSE C. VEGA*
MERWAN N. BHATTI
ALYSSA E. NAVA
MONICA L. PINEDA
SHANNON J. CRENSHAW

WILLIAM J. MOUNCE
OF COUNSEL

MORRIS A. GALATZAN
(1911-1999)
WILLIAM T. KIRK
(1940-2002)

TELEPHONE: (915) 532-2000

MAILING ADDRESS:
P O BOX 1977
EL PASO, TEXAS 79999-1977

STREET ADDRESS:
100 N STANTON, SUITE 1000
EL PASO, TEXAS 79901-1463

FACSIMILE: (915) 541-1548

WEBSITE: WWW.MGMSG.COM

*ALSO MEMBER OF NEW MEXICO BAR

December 16, 2014

CITY OF EL PASO
330 N. Campbell
EL PASO, TX 79901

12642- 182 NJG

SERVICES RENDERED REGARDING DOCKET NO: 42449 - APPLICATION OF EPEC
FOR APPROVAL TO REVISE ITS ENERGY
EFFICIENCY COST RECOVERY FACTOR AND
REQUEST TO REESTABLISH REVISED COST CAP

For Legal Services 09-04-14 through 11-24-14

Norman J. Gordon	NJG	27.80	hours at	\$300.00	\$8,340.00
Merwan N. Bhatti	MNB	1.00	hours at	\$150.00	\$150.00
TOTAL FEES					\$8,490.00
TOTAL COSTS AND EXPENSES					\$557.24
TOTAL CHARGES					\$9,047.24

ALFA
American
Law Firm
Association

**MOUNCE, GREEN, MYERS, SAFI,
PAXSON & GALATZAN**

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW

FIN 74-2503802

P.O. BOX 1977 EL PASO, TX 79999-1977
(915) 532-2000 • FACSIMILE (915) 541-1526

December 16, 2014

CITY OF EL PASO
330 N. CAMPBELL
EL PASO, TX 79901

12642- 182 NJG

SERVICES RENDERED REGARDING DOCKET NO: 42449 - APPLICATION OF EPEC
FOR APPROVAL TO REVISE ITS ENERGY
EFFICIENCY COST RECOVERY FACTOR AND
REQUEST TO RESTABLISH REVISED COST CAP

For Legal Services Rendered by Norman J. Gordon:

9/04/14 NJG	1.20	Review EPE reply brief, Tel. K. Nalepa, E-mail to City Attorney office.
10/07/14 NJG	1.00	Initial Review of PFD and results, E-mails w/ K Nalepa.
10/13/14 NJG	.40	E-mail to Client regarding: PFD and recommendations of ALJ and timetable for responses and Commission Action.
10/17/14 NJG	3.50	Review PFD for Exceptions, Tel. K. Nalepa, Outline Exceptions, and draft

THIS STATEMENT IS DUE AND PAYABLE UPON RECEIPT
MAKE CHECK PAYABLE TO MOUNCE, GREEN, MYERS, SAFI, PAXSON & GALATZAN
PLEASE SHOW CLIENT MATTER NO. ON YOUR CHECK THANK YOU

DETACH HERE AND RETURN WITH YOUR REMITTANCE

STATEMENT DATE

12/16/14

ACCOUNT NUMBER

12642- 182

PLEASE NOTE ANY
ADDRESS AND/OR
TELEPHONE NUMBER
CHANGE BELOW.

AMOUNT OF
YOUR CHECK

MAKE CHECK
PAYABLE TO:

**MOUNCE, GREEN, MYERS, SAFI,
PAXSON & GALATZAN**
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
P.O. BOX 1977
EL PASO, TX 79999-1977

REMITTANCE COPY

CITY OF EL PASO

12/16/14 12642- 182 NJG PAGE 2

10/18/14 NJG 2.20 introductory portions.
Work on Draft of Exceptions, Review transcript for references, and citations in PFD.
10/19/14 NJG 1.80 Continue draft of Exceptions to PFD.
10/20/14 NJG 5.20 Complete Draft of Exceptions to PFD, Revise and prepare for filing at PUCT, Request for Oral Argument.
10/28/14 NJG .80 Review Replies to Exceptions of PUC Staff and EPE.
11/07/14 NJG .40 E-mail from B.Slocum regarding: proposed letter on Line Losses, Suggested revisions to letter, E-mails from other parties, and second revision, Review final letter and staff letter as filed.
11/12/14 NJG .40 Review of "order" from Commission advising regarding: oral argument, tel. B. Slocum, Begin outline of argument.
11/13/14 NJG 2.70 Prepare for Oral Argument, Prepare and revise Argument presentation, Prepare handouts for use at Oral Argument, Tel. K. Nalepa regarding: issues at Argument.
11/14/14 NJG 6.50 To Austin for PUC Final Order Meeting and Oral Argument/Present Oral Argument at PUCT and return to El Paso, Preparation of summary for City Attorney.
11/18/14 NJG 1.50 Prepare material for discussion with Client in Excecutive Session of Commission action at Final Order meeting. Meeting with Client in Executive Session, Communication with client regarding report of Commissioners discussion.
11/24/14 NJG .20 Review Final Order and Notice of Mailing calculate deadline for Motion for Rehearing

For Legal Services Rendered by Merwan Bhatti:

10/28/14 MNB .80 Receipt and review of Bret Slocum's correspondence regarding reply to City's exceptions and review of same reply; and

CITY OF EL PASO

12/16/14 12642- 182 NJG PAGE 3

review of docket and original
exceptions.
11/07/14 MNB .20 Review of correspondence from Bret
Slocum regarding issues with goals.
NJG 27.80 hours at \$300.00 \$8,340.00
MNB 1.00 hours at \$150.00 \$150.00

TOTAL FEES

\$8,490.00

COSTS AND EXPENSES

UNITS RATE

9/11/14	UPS			\$32.44
	Tracking ID: 1Z8E7R960142584170			
	NJG			
9/11/14	UPS			\$95.75
	Tracking ID: 1Z8E7R961541577449 NJG			
10/29/14	UPS			\$35.74
	Tracking ID: 1Z8E7R960142400868			
	NJG			
10/29/14	UPS			\$19.61
	Tracking ID: 1Z8E7R960141492477			
	NJG			
11/18/14	Norman Gordon			\$288.20
	Airfare Expenses to/from Austin for			
	Hearing			
11/18/14	Norman Gordon			\$27.00
	Taxi Expense while in Austin for			
	Hearing			
11/18/14	Norman Gordon			\$10.00
	Parking Expense while in Austin for			
	Hearing			
11/30/14	Photocopies	485	.10	\$48.50

TOTAL COSTS AND EXPENSES

\$557.24

PAY THIS AMOUNT

\$9,047.24

Any Payments Received After December 16, 2014
Will Appear on Your Next Statement

UPS Overnight Delivery Charges



Delivery Service Invoice

Invoice date **August 16, 2014**
Invoice number **00008E7R96334**
Shipper number **8E7R96**

Page 4 of 5

Outbound
UPS WorldShip

Pickup Date	Pickup Record	Entry	Tracking Number	Service	ZIP Code	Zone	Weight	Published Charge	Incentive Credit	Billed Charge
----------------	------------------	-------	-----------------	---------	-------------	------	--------	---------------------	---------------------	------------------

08/13	6154356666	1	1Z8E7R960142584170	Next Day Air Commercial Letter	78701	104	2	47.35	-17.99	29.36
				Fuel Surcharge				4.97	-1.89	3.08
				Total				52.32	-19.88	32.44

1st ref: 12642.182njg
Sender : JASON BERLIN

Receiver: filing clerk central
public utility commission of t
1701 n. congress ave.
AUSTIN TX 78701

Total for Pickup Number: 6154356666					1 Package(s)			52.32	-19.88	32.44
--	--	--	--	--	---------------------	--	--	--------------	---------------	--------------



Delivery Service Invoice

Invoice date **August 23, 2014**
Invoice number **00008E7R96344**
Shipper number **8E7R96**

Page 3 of 3

Outbound

UPS WorldShip

Pickup Date	Pickup Record	Entry	Tracking Number	Service	ZIP Code	Zone	Weight	Published Charge	Incentive Credit	Billed Charge
----------------	------------------	-------	-----------------	---------	-------------	------	--------	---------------------	---------------------	------------------

3	1Z8E7R961541577449		Next Day Air Early A.M. Commercial	78701	104	4	58.65	58.65		
			Customer Weight			3.2				
			Early A.M. Surcharge				28.00	28.00		
			Fuel Surcharge				9.10	9.10		
			Total				95.75	95.75		

1st ref: 12642.182, NJG
Sender : JASON BERLIN

Receiver: filing clerk central
public utility commission of t
1701 n. congress ave.
AUSTIN TX 78704



Outbound
UPS WorldShip

Delivery Service Invoice

Invoice date **October 25, 2014**
Invoice number **00008E7R96434**
Shipper number **8E7R96**

Page 3 of 3

10/22	6154356902	1	1Z8E7R960141492477	Next Day Air Commercial Letter	78701 104	1	43.35	-16.47	28.88
				Fuel Surcharge			4.34	-1.65	2.69
				Total			47.69	-18.12	29.57

1st ref: 12642.182njg

Sender : JASON BERLIN

Receiver: filing clerk central
public utility commiss ion of t
1701 n. congress ave.
AUSTIN TX 78701

Total for Pickup Number: 6154356902				1 Package(s)	47.69	-18.12	29.57
Total UPS WorldShip				2 Package(s)	105.33	-40.02	65.31
Total Outbound				2 Package(s)	105.33	-40.02	65.31

Adjustments & Other Charges

Shipping Charge Corrections Learn how to avoid future shipping charge corrections. Visit www.ups.com/avoidcharges.

Pickup Date	Tracking Number	Original Service/Corrected Service	ZIP Code	Zone	Weight	Published Charge	Incentive Credit	Billed Charge	Adjustment Amount
10/22	1Z8E7R960141492477	Next Day Air	78701	104	1	43.35	-18.47	26.88	
		Next Day Air	78701	104	Letter	28.75	-10.93	17.82	
		Fuel Surcharge				-0.90		-0.90	-9.96

1st ref: 12642.182njg

Sender : JASON BERLIN
MOUNCE, GREEN, MYERS
EL PASO TX 79901

Receiver: filing clerk central
public utility commiss ion of t
AUSTIN TX 78701

Total Shipping Charge Corrections				1 Package(s)			-9.96
Total Adjustments & Other Charges							-9.96



Delivery Service Invoice

Invoice date **October 25, 2014**
Invoice number **00008E7R96434**
Shipper number **8E7R96**

Page 3 of 3

Outbound

UPS WorldShip

Pickup Date	Pickup Record	Entry	Tracking Number	Service	ZIP Code	Zone	Weight	Published Charge	Incentive Credit	Billed Charge
10/20	6154356891	1	1Z8E7R960142400868	Next Day Air Commercial	78701	104	3	52.40	-19.91	32.49
				Fuel Surcharge				5.24	-1.99	3.25
				Total				57.64	-21.90	35.74

1st ref: 12642.182njg

Sender : JASON BERLIN

Receiver: filing clerk central
public utility commission of t
1701 n. congress ave.
AUSTIN TX 78701

Total for Pickup Number: 6154356891

10/22	6154356902	1	1Z8E7R960141492477	Next Day Air Commercial	78701	104	1	43.35	-18.47	26.88
				Letter						
				Fuel Surcharge				4.34	-1.65	2.69
				Total				47.69	-18.12	29.57

1st ref: 12642.182njg

Sender : JASON BERLIN

Receiver: filing clerk central
public utility commission of t
1701 n. congress ave.
AUSTIN TX 78701

Total for Pickup Number: 6154356902

Total UPS WorldShip								1 Package(s)	47.69	-18.12	29.57
Total Outbound								2 Package(s)	105.33	-40.02	65.31
								2 Package(s)	105.33	-40.02	65.31

Adjustments & Other Charges

Shipping Charge Corrections Learn how to avoid future shipping charge corrections. Visit www.ups.com/avoidcharges.

Pickup Date	Tracking Number	Original Service/Corrected Service	ZIP Code	Zone	Weight	Published Charge	Incentive Credit	Billed Charge	Adjustment Amount
10/22	1Z8E7R960141492477	Next Day Air	78701	104	1	43.35	-18.47	26.88	
		Next Day Air	78701	104	Letter	28.75	-10.93	17.82	
		Fuel Surcharge				-0.90		-0.90	-9.96

1st ref: 12642.182njg

Sender : JASON BERLIN
MOUNCE, GREEN, MYERS
EL PASO TX 79901

Receiver: filing clerk central
public utility commission of t
AUSTIN TX 78701

Total Shipping Charge Corrections								1 Package(s)			-9.96
Total Adjustments & Other Charges											-9.96

Photocopy Charges

TR6030 12/04/14
SCON 8:48:52

B I L L I N G M E M O R A N D U M

PAGE 2

FOR SERVICES THROUGH 11/30/14

BATCH NUMBER 5

12642 CITY OF EL PASO
182 DOCKET NO: 42449 - APPLICATION OF EPEC

DATE	T.K.	PG.	DESCRIPTION OF SERVICES	N/P	TIME	RATE	VALUE	TASK ACT. C	HOLD	T.K.	TIME	BILL AMOUNT
11/14/14	NJG	1	handouts for use at Oral Argument, Tel. K. Malepa regarding: issues at Argument. To Austin for PUC Final Order Meeting and Oral Argument/Present Oral Argument at PUCT and return to El Paso, Preparation of summary for City Attorney.	—	6.50	300.00	1,950.00					
11/18/14	NJG	1	Prepare material for discussion with Client in Executive Session of Commission action at Final Order meeting. Meeting with Client in Executive Session, Communication with client regarding report of Commissioners discussion.	—	1.50	300.00	450.00					
11/24/14	NJG	1	Review Final Order and Notice of Mailing calculate deadline for Motion for Rehearing	—	.20	300.00	60.00					

TIMEKEEPER	TIME	RATE	VALUE	BILL AMOUNT
MNB Bhatti, Merwan	1.00	150.00	150.00	
NJG Gordon, Norman J.	27.80	300.00	8,340.00	
TOTAL	28.80		8,490.00	

C O S T S & E X P E N S E S

DATE	CODE	CONTROL	SEQ.	DESCRIPTION	UNITS	AMOUNT	HOLD	BILL AMOUNT	COMBINE WITH	NO CHARGE
9/03/14	100			Photocopies Correspondence SCAN	8	.80	—			
9/11/14	599	32166		UPS Tracking ID: 128E7R960142584170 NJG		32.44	—			
	599	32166	1	UPS Tracking ID: 128E7R961541577449 NJG		95.75	—			
10/08/14	100			Photocopies Correspondence SCAN	3	.30	—			
10/21/14	100			Photocopies Correspondence SCAN	260	26.00	—			
10/23/14	100			Photocopies Correspondence SCAN	36	3.60	—			
10/29/14	599	32555		UPS Tracking ID: 128E7R960142400868 NJG		35.74	—			

TR6030 12/04/14
SCON 8:48:52

B I L L I N G M E M O R A N D U M

PAGE 3

FOR SERVICES THROUGH 11/30/14

BATCH NUMBER 5

12642 CITY OF EL PASO
182 DOCKET NO: 42449 - APPLICATION OF EPEC

DATE	CODE	CONTROL	SEQ.	DESCRIPTION	UNITS	AMOUNT	HOLD	BILL AMOUNT	COMBINE WITH	NO CHARGE
	599	32555	1	UPS Tracking ID: 128E7R960141492477 NJG		19.61	—	—	—	—
11/14/14	100			Photocopies Correspondence SCAN	172	17.20	—	—	—	—
11/18/14	506	32739		Norman Gordon Airfare Expenses to/from Austin for Hearing		288.20	—	—	—	—
	506	32739	1	Norman Gordon Taxi Expense while in Austin for Hearing		27.00	—	—	—	—
	506	32739	2	Norman Gordon Parking Expense while in Austin for Hearing		10.00	—	—	—	—
11/19/14	100			Photocopies Correspondence SCAN	6	.60	—	—	—	—
TOTAL COSTS & EXPENSES						557.24				
TOTAL FEES AND COSTS						9,047.24				

B I L L I N G I N S T R U C T I O N S

BILL AS NOTED _____
HOLD THE BILL _____
BILL COSTS ONLY _____
SUSPEND BILL _____

BILL ON ACCOUNT:
FROM _____
THRU _____

APPLY RETAINER OF _____
TO BILL OF _____
FOR COSTS _____ FEES _____

BILL RETAINER OF _____
DISCOUNT BILL _____
APPLY TRUST OF _____

NJG Travel Expenses 11/18/14



Español

PLAN A TRIP SPECIAL OFFERS RAPID REWARDS

Southwest

Thank you for your purchase!

El Paso, TX - ELP to Austin, TX - AUS

New Purchases in Trip

Air

Confirmation #FRWMIP

El Paso, TX - ELP to Austin, TX - AUS
Friday, November 14, 2014

Air Total: \$144.10

Amount Paid
\$144.10Trip Total
\$144.10NOV 14
FRI

11/14/14 - Austin

New purchases added to your trip.

AIR

El Paso, TX - ELP to Austin, TX - AUS
11/14/2014Confirmation #
FRWMIP

Senior Passenger(s)

NORMAN GORDON

Subscribe to Flight Status Messaging

Rapid Rewards #
0000000021954

DEPART NOV 14	06:15 AM	Depart El Paso, TX (ELP) on Southwest Airlines	Flight #3306	Southwest	Friday, November 14, 2014
FRI	08:45 AM	Arrive in Austin, TX (AUS)	Travel Time 1 h 30 m (Nonstop) Wanna Get Away		

What you need to know to travel

Don't forget to check in for your flight(s) 24 hours before your trip on southwest.com® or your mobile device.

Southwest Airlines does not have assigned seats, so you can choose your seat when you board the plane. You will be assigned a boarding position based on your checkin time. The earlier you check in, within 24 hours of your flight, the earlier you get to board.

WiFi, TV, and related services may vary and are subject to change based on assigned aircraft. Learn More

PRICE: SENIOR

Trip	Routing	Fare Type View Fare Rules	Fare Details	Quantity	Total
Depart	ELP-AUS	Wanna Get Away Exact Fare	<ul style="list-style-type: none"> No Change Fees (standard fare differences apply) Transferable Funds Non-transferable - no name changes allowed Non-refundable unless purchased with Points 	1	\$144.10

Earn at least 728 Rapid Rewards Points when you take this trip.

Subtotal
\$144.10
Fare Breakdown<https://www.southwest.com/reservations/confirm-reservations.html?disc=cdc%3A93E0B...> 10/22/2014

Southwest Airlines - Purchase Confirmation

PUC Docket 44677
Attachment to CEP's
Response to Staff 1-3
Page 55 of 59
Page 1 of 2



Español

PLAN A TRIP SPECIAL OFFERS RAPID REWARDS®



Thank you for your purchase!

Austin, TX - AUS to El Paso, TX - ELP

New Purchases in Trip

Air
Confirmation #F9RMIB
Austin, TX - AUS to El Paso, TX - ELP Friday, November 14, 2014
Air Total: \$144.10

Amount Paid
\$144.10

Trip Total
\$144.10

NOV 14
FRI

11/14/14 - El Paso

New purchases added to your trip.

AIR

Austin, TX - AUS to El Paso, TX - ELP
11/14/2014

Confirmation #
F9RMIB

Senior Passenger(s)

NORMAN GORDON

Subscribe to Flight Status Messaging

Rapid Rewards

0000000021954

DEPART	01:50 PM	Depart Austin, TX (AUS) on Southwest Airlines	Flight #266	Southwest	Friday, November 14, 2014
NOV 14					
FRI	02:28 PM	Arrive in El Paso, TX (ELP)			Travel Time 1 h 35 m (Nonstop) Wanna Get Away

What you need to know to travel

Don't forget to check in for your flight(s) 24 hours before your trip on southwest.com® or your mobile device.

Southwest Airlines does not have assigned seats, so you can choose your seat when you board the plane. You will be assigned a boarding position based on your checkin time. The earlier you check in, within 24 hours of your flight, the earlier you get to board.

WiFi, TV, and related services may vary and are subject to change based on assigned aircraft. Learn More

PRICE: SENIOR

Trip	Routing	Fare Type View Fare Rules	Fare Details	Quantity	Total
Depart	AUS-ELP	Wanna Get Away Excursion Value	<ul style="list-style-type: none"> Change Fees Applicable fare difference applies Reusable Funds Non-transferable - no name changes allowed Non-refundable unless purchased with Points 	1	\$144.10

Earn at least 726 Rapid Rewards Points when you take this trip.

Subtotal \$144.10
Fare Breakdown

<https://www.southwest.com/reservations/confirm-reservations.html?disc=sdcs%3A7067B...> 10/22/2014

Southwest Airlines - Purchase Confirmation

Carry-on Items: 1 bag + 1 small personal item are free, see full details.
Checked Items: First and second bags are free, size and weight limits apply.

Bag Charge \$0.00

Air Total:
\$144.10

Gov't taxes & fees now included

Purchaser Name Norman Gordon

Billing Address 808 Wingrocks Road
El Paso, TX US 79912

Form of Payment
Visa - XXXXXXXXXXXX-8772

Amount Applied
\$144.10

Amount Paid
\$144.10

Trip Total
\$144.10

© 2014 Southwest Airlines Co. All Rights Reserved. Use of the Southwest website and our Company
information constitutes acceptance of our Terms and Conditions, Privacy Policy



Fare Receipt

Austin, TX (512) 452-9999

Yellow Cab

CHICIT

Date: 11-14-14

Received of

FRANK GARCIA

the Sum of

\$27.00

from

AIRPORT

to

1701 N. GARDNER

Yellow Cab

Notes

22

Driver

200885



RECEIPT

El Paso International Airport

OUTLAND PRINTING - NEWPORT, LA.

827966

8388 11/14 05:12 11/14 14:33 \$10.00 8772

**MOUNCE, GREEN, MYERS, SAFI,
PAXSON & GALATZAN**

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW

FIN 74-2503802

P.O. BOX 1977 EL PASO, TX 79999-1977
(915) 532-2000 • FACSIMILE (915) 541-1526

June 3, 2015

CITY OF EL PASO
330 N. CAMPBELL
EL PASO, TX 79901

12642- 182 NJG

SERVICES RENDERED REGARDING DOCKET NO: 42449 - APPLICATION OF EPEC
FOR APPROVAL TO REVISE ITS ENERGY
EFFICIENCY COST RECOVERY FACTOR AND
REQUEST TO REESTABLISH REVISED COST CAP

For Legal Services Rendered by Norman J. Gordon:

12/10/14 NJG	.80	Review and notes on Commission discussion on 11/14 in preparation for Motion for Rehearing, Review EPE compliance filing.
12/12/14 NJG	2.20	Final Order Meeting discussion(video)begin preparation of Motion for Rehearing.
12/15/14 NJG	2.10	Complete Draft of Motion for Rehearing and finalize for filing

THIS STATEMENT IS DUE AND PAYABLE UPON RECEIPT
MAKE CHECK PAYABLE TO MOUNCE, GREEN, MYERS, SAFI, PAXSON & GALATZAN
PLEASE SHOW CLIENT MATTER NO. ON YOUR CHECK. THANK YOU

DETACH HERE AND RETURN WITH YOUR REMITTANCE

STATEMENT DATE
6/03/15

ACCOUNT NUMBER
12642- 182

PLEASE NOTE ANY
ADDRESS AND/OR
TELEPHONE NUMBER
CHANGE BELOW.

AMOUNT OF YOUR CHECK

MAKE CHECK
PAYABLE TO

**MOUNCE, GREEN, MYERS, SAFI,
PAXSON & GALATZAN**
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
P.O. BOX 1977
EL PASO, TX 79999-1977

REMITTANCE COPY

CITY OF EL PASO

6/03/15 12642- 182 NJG PAGE 2

12/17/14 NJG .50 Monitor and telephone regarding:
refiling of MFR, in light of UPS failure
to deliver overnight package. (NC)
1/07/15 NJG .20 E-mail to client regarding: no
consideration of Motion for Rehearing on
Agenda, Deadlines for filing appeal in
District Court.
1/27/15 NJG .30 Discussion w/City Council(executive
Session) regarding potential appeal to
District Court.

NJG 6.10 hours at \$300.00 \$1,830.00

TOTAL FEES

\$1,830.00

COSTS AND EXPENSES

UNITS RATE

12/31/14 UPS
Tracking ID: 1Z8E7R960142000282
NJG

\$26.88CR

5/31/15 Photocopies

166 .10

\$16.60

TOTAL COSTS AND EXPENSES

\$10.28CR

CURRENT CHARGES

\$1,819.72

PRIOR STATEMENT(S) BALANCE

\$9,047.24

PAYMENTS RECEIVED

\$9,047.24CR

PAY THIS AMOUNT

\$1,819.72

Any Payments Received After June 3, 2015
Will Appear on Your Next Statement

SOAH DOCKET NO. 473-15-3684

PUCT DOCKET NO. 44677

APPLICATION OF EL PASO	§	
ELECTRIC COMPANY FOR	§	BEFORE THE STATE OFFICE
APPROVAL TO REVISE ITS	§	
ENERGY EFFICIENCY COST	§	OF
RECOVERY FACTOR AND	§	
REQUEST TO ESTABLISH	§	ADMINISTRATIVE HEARINGS
REVISED COST CAPS	§	

AFFIDAVIT OF KARL J. NALEPA
CONCERNING RESOLVED ENERGY CONSULTING EXPENSES
FOR THE EL PASO ELECTRIC COMPANY 2014 EECRF PROCEEDING

I, Karl J. Nalepa, state the following facts upon my oath.

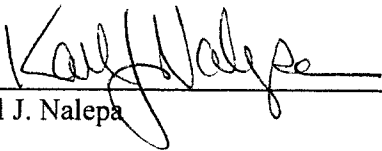
1. My name is Karl J. Nalepa. I am over eighteen years of age and am not disqualified from making this affidavit.
2. I am the President of ReSolved Energy Consulting, LLC, ("REC") and independent utility consulting company. My business address is 11044 Research Blvd., Suite A-420, Austin, Texas 78759.
3. I was retained by the City of El Paso in El Paso Electric Company's 2014 Energy Efficiency Cost Recovery Factor ("EECRF") proceeding before the Public Utility Commission of Texas, Docket No. 42449.
4. I am giving this affidavit to address the necessity for and reasonableness of REC's actual expenses incurred in Docket No. 42449.
5. REC's actual fees incurred in Docket No. 42449 related to time spent reviewing the application testimony, schedules and work papers, developing and reviewing discovery, reviewing previous cases, preparing pre-filed written testimony, appearing at hearing, and assisting counsel in hearing preparation and briefing. The hours charged are set forth in the following table, and the corresponding invoices are attached to this affidavit.

<u>Consultant</u>	<u>Hourly Rate</u>	<u>Hours</u>	<u>Total Actual</u>
Karl Nalepa	\$250	38.1	\$9,527.50
Bob Stemper	\$225	2.1	\$472.50
Total Actual	\$249	40.2	\$10,000.00

6. My billing rate was \$250 per hour. This was the normal billing rate that I charged for services provided to both regulated and non-regulated entities. This rate was reasonable for a consultant providing these types of services before utility regulatory agencies in

Texas. My hourly rate was especially reasonable given I have more than 30 years of utility rate regulatory experience. Part of the basis for my opinion is a review of the hourly rates charged by other consultants to perform similar services. Assisting me in this proceeding was Bob Stemper. Mr. Stemper is a Senior Management Consultant with REC and has over 35 years of regulatory experience. His billing rate is \$225 per hour. Mr. Stemper works under my direction and supervision.

7. No REC personnel billed in excess of 12 hours on any given day to this case. No REC personnel incurred any airline, lodging, or meal expenses. No REC personnel charged for any luxury items. There are no instances of double billing for REC's services.
8. Based on the novelty of the issues in the case, the occurrence of the hearing, and my extensive experience relating to analysis of a variety of rate proceeding matters before the Public Utility Commission of Texas, I conclude that: (1) REC's hourly rates are reasonable; and (2) the 40.2 actual hours in this case are both reasonable and necessary.
9. The statements made in this affidavit are true and correct.

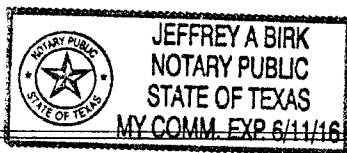

Karl J. Nalepa

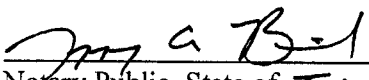
STATE OF TEXAS

§
§
§

COUNTY OF TRAVIS

SUBSCRIBED AND SWORN to before me, the undersigned authority, on the 3rd day of June 2015, by Karl J. Nalepa.




Notary Public, State of Texas
My Commission Expires: 06/11/2016

PUC Docket 44677
Attachments to
Affidavit of
Karl J. Nalepa

Monthly Recap

Karl Nalepa

Date	Task	Hours
June 20, 2014	Call with N. Gordon to discuss filing. Review filing and supporting materials.	1.70
June 23, 2014	Review filing and evaluate issues.	1.30
June 24, 2014	Research WECC programs. Review discovery. Review filing and evaluate issues.	1.00
June 25, 2014	Review filing and evaluate issues. Work on draft testimony.	2.80
June 26, 2014	Review filing and evaluate issues. Work on draft testimony.	1.70
June 27, 2014	Prepare and send deposition data request to N. Gordon. Review responses. Complete draft testimony and send to N. Gordon for review.	2.20
June 28, 2014	Update testimony and send revised draft to N. Gordon.	2.00
June 30, 2014	Review and revise draft testimony. Discuss edits with N. Gordon. Incorporate additional revisions and send final draft testimony to N. Gordon. Compile and send workpapers to N. Gordon.	4.50
		17.20

EPE EECRF 42449

Recap_June 2014_ KJN.xlsx

Monthly Recap

Bob Stemper

Date	Task	Hours
June 19, 2014	Download filing. Research past EECRF dockets.	2.10
		2.10

EPE EECRF 42449

Recap_June 2014_RJS.xlsx

Monthly Recap

Karl Nalepa

Date	Task	Hours
July 8, 2014	Review discovery responses and EPE errata testimony and exhibits.	0.50
July 10, 2014	Review EPE objections to testimony.	0.80
July 11, 2014	Review Staff direct testimony. Prepare response to issues raised by Staff and send to N. Gordon for review. Prepare response to issues raised by EPE and send to N. Gordon for review.	3.00
July 16, 2014	Call with N. Gordon to discuss objections to testimony.	0.30
July 18, 2014	Review rebuttal testimony. Prepare and send comments to N. Gordon.	2.70
July 24, 2014	Send revised rule reference to N. Gordon. Call to discuss case issues.	0.30
July 25, 2014	Review Order on objections to testimony. Call with N. Gordon to discuss preparations for hearing.	0.70
July 29, 2014	Prepare for hearing.	1.20
July 30, 2014	Attend hearing and testify.	5.80
July 31, 2014	Organize case files.	0.30
		15.60

EPE EECRF 42449

Recap_July 2014_KJN.xlsx

Monthly Recap

Karl Nalepa

Date	Task	Hours
August 12, 2014	Call with N. Gordon to discuss post-hearing brief.	0.20
August 15, 2014	Review filed post-hearing briefs.	0.80
August 18, 2014	Call with N. Gordon to discuss reply brief.	0.30
August 22, 2014	Review filed reply briefs.	0.70
		2.00

EPE EECRF 42449

Recap_August 2014_ KJN.xlsx

ReSolved Energy Consulting, LLC

11044 Research Blvd., Suite A-420
Austin, Texas 78759
Phone (512) 331-4949

Invoice

DATE	INVOICE NUMBER
11/4/2014	3482

BILL TO
City of El Paso PO Box 1890 El Paso, TX 79950

PROJECT			
EPE EECRF 42449			
DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (K. Nalepa)	6.1	250.00	1,525.00
Adjustment: As a result of conversations with Norman Gordon, REC is submitting this revised invoice no. 3482 to reflect a \$697.50 deduction to meet the authorized cap. Please let us know if you have any questions.		-697.50	-697.50
Work Completed thru - October 31, 2014	TOTAL DUE		\$827.50

Monthly Recap

Karl Nalepa

Date	Task	Hours
October 8, 2014	Review proposal for decision. Prepare exceptions to PFD.	1.80
October 9, 2014	Complete exceptions and send to N. Gordon for review.	3.20
October 17, 2014	Call with N. Gordon to discuss draft exceptions to PFD.	0.30
October 30, 2014	Review filed exceptions and replies to exceptions.	0.80
		6.10

EPE EECRF 42449

Recap_October 2014_ KJN.xlsx

must maintain complete and accurate records for reimbursement of additional costs allowed under this Agreement.

No benefits will be provided to the Consultant by the City.

Payment shall be due thirty (30) days from the date of the City's receipt of an invoice in accordance with state laws.

The Consultant hereby agrees that at no time will it make a claim against the City for more than the rate provided under the terms of this Agreement.

5. LOCATION OF PERFORMANCE. The Consultant shall perform the services in El Paso, Texas, or at such place(s) as may be necessary or appropriate to fulfill the terms of this Agreement.

6. INDEPENDENT CONSULTANT RELATIONSHIP. Nothing herein shall be construed as creating a relationship of employer and employee between the parties hereto. The City shall not be subject to any obligations or liabilities of the Consultant incurred in the performance of this Agreement unless otherwise herein authorized.

7. LAW GOVERNING AGREEMENT/VENUE. For purposes of determining the place of the Agreement and the law governing the same, it is agreed that the Agreement is entered into in the City and County of El Paso, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in the courts of El Paso County, Texas.

8. TERMINATION. Either party may terminate this Agreement without cause after seven (7) days written notice to the other party of the intention to terminate this Agreement, or at any time by mutual agreement of the parties. Should the City have cause to terminate this Agreement or if the Consultant is in breach of this Agreement, the Agreement may be terminated immediately upon written notification to the Consultant of the cause for termination. Upon receipt of a written request by the City, the Consultant shall immediately discontinue work under the Agreement. Thereafter, only those services necessary to effectuate termination of representation. It is agreed and understood that all files, reports, exhibits, pleadings, data compilations, memoranda and other work product produced under this Agreement are the property of the City of El Paso. Upon termination, all files, reports and memoranda shall be sent to the City as directed in writing by the City Attorney, without additional charge. A copy of the information may be retained by your firm at your own expense.

9. NOTICE. Any notices required under this Agreement shall be sufficient if sent by Certified Mail postage prepaid, to the City or the Consultant at the following addresses:

CITY: City of El Paso
Attn: City Attorney
P.O. Box 1890
El Paso, Texas 79950-1890

CONSULTANT: ReSolved Energy Consulting, LLC
Attn: Karl J. Nalepa, President
11044 Research Blvd, Suite D-230
Austin, Texas 78759

10. ASSIGNMENT. This Agreement shall be deemed personal to the Consultant, and the Consultant shall not assign, sell, transfer, or otherwise dispose of this Agreement or portion thereof, or its rights, title or interest therein, without the written consent of the City.

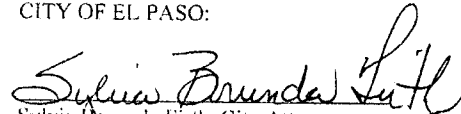
11. AUTHORITY TO EXECUTE AGREEMENT. Each person signing below represents that he or she has read this Agreement in its entirety, understands its terms, is duly authorized to execute this Agreement on behalf of the Party, and agrees on behalf of such party that such party will be bound by those terms.

12. HEADINGS. The headings of the sections contained in this Agreement are included herein for reference purposes only, solely for the convenience of the parties hereto, and shall not in any way be deemed to affect the meaning, interpretation, or applicability of this Agreement or any term, condition or provision hereof.

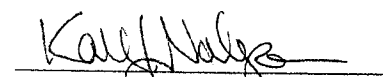
13. COMPLETE AGREEMENT. This Agreement constitutes and expresses the entire agreement between the parties hereto in reference to the professional services of the Consultant for the City, and in reference to any of the matters or things herein provided for, or discussed or mentioned in reference to such services, all promises, representations and understanding relative thereto herein being merged.

IN WITNESS WHEREOF, the parties have hereunto set their hands this ____ day of
September, 2014.

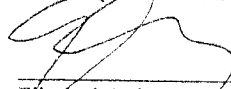
CITY OF EL PASO:


Sylvia Borunda Firth, City Attorney

CONSULTANT:


Karl J. Nalepa, President and Managing
Director

APPROVED AS TO FORM:


Elizabeth Ruhman
Assistant City Attorney