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PUC DOCKET NO. 44805

APPLICATION OF EL PASO ELECTRIC §
COMPANY FOR REASONABLENESS §
AND PUBLIC INTEREST FINDINGS ON §
THE DISPOSITION OF COAL-FIRED §
GENERATING FACILITIES IN NEW §
MEXICO, AND MINE CLOSING COSTS §
ADJUSTMENTS §

2015 OCT -5 PM 2:14

BEFORE THE PUBLIC UTILITY...
COMMISSION OF TEXAS

**STATEMENT UNDER SECTION 4 OF PROTECTIVE ORDER DESIGNATING
CONFIDENTIAL AND HIGHLY SENSITIVE PROTECTED MATERIALS**

The undersigned attorney for El Paso Electric Company (EPE) submits this statement under Section 4 of the Protective Order in this case.

The materials provided in response to City of El Paso's (CEP's) Third Request for Information, Question No. 3-1 are exempt from public disclosure pursuant to Section 552.101 of the Public Information Act¹ and are subject to treatment as confidential materials.

CEP 3-1

The data in the response to CEP 3-1 is confidential and proprietary commercial information, including projected generation data. The confidential information in the requested documents is the non-public, competitively sensitive pricing and operating information and costs used for inputs into PROMOD and Strategist modeling. Such information is entitled to protection from public disclosure pursuant to Sections 552.101 and 552.110 of the Public Information Act.

The undersigned counsel for EPE has reviewed the information sufficiently to state in good faith that the information is exempt from disclosure under the Public Information Act and merits the respective highly sensitive materials (Highly Sensitive) or confidential materials (Confidential) designation given to it.

¹ TEX. GOV'T CODE ANN. § 552.001-.353 (Vernon 2004 & Supp. 2008).

Respectfully Submitted,

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ATTORNEYS FOR EL PASO
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served by facsimile, hand-delivery, overnight delivery, or 1st Class U.S. Mail on all parties of record in this proceeding on October 5, 2015.


Mark Held