



Control Number: 46831



Item Number: 717

Addendum StartPage: 0

RECEIVED

2017 AUG -2 PM 1:48

APPLICATION OF EL PASO
ELECTRIC COMPANY TO CHANGE
RATES

§
§
§

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

PUBLIC UTILITY COMMISSION
FILING CLERK

**TEXAS INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF
REQUESTS FOR INFORMATION TO EL PASO ELECTRIC COMPANY**

Pursuant to § 22.144 of the Commission's Procedural Rules Texas Industrial Energy Consumers ("TIEC") requests that El Paso Electric Company ("EPE") provide all of the information requested in Exhibit "A" within the period specified in the procedural schedule in this case.

Pursuant to P.U.C. Proc. R. 22.144(c)(2), TIEC further requests that answers to the requests for information be made under oath. Each answer should identify the person responsible for preparing that answer (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can vouch for its accuracy. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced. These requests are continuing in nature, and should there be, for any reason, a change in circumstances which would modify or change an answer supplied by you, such changed answer should be submitted immediately as a supplement to your original answer pursuant to P.U.C. Proc. R. 22.144(i). Please answer each request and sub-request in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the request. TIEC further requests that each item of information be made available as it is completed, rather than upon compilation of all information requested.

All information responsive to the requests on the attached Exhibit "A" should be sent to the following persons via overnight courier, on a piecemeal basis as individual items become available:

Mr. Rex D. VanMiddlesworth
Mr. Benjamin Hallmark
Mr. James Zhu
Thompson & Knight LLP
98 San Jacinto Blvd., Suite 1900
Austin, TX 78701
(512) 469.6100
(512) 469.6180 (fax)
rex.vanm@tklaw.com
benjamin.hallmark@tklaw.com
james.zhu@tklaw.com

DEFINITIONS AND INSTRUCTIONS

A. “EPE,” “the Company” or “you” refers to El Paso Electric Company, and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

B. “Applicant” refers to El Paso Electric Company, and their affiliates, subsidiaries, and any person acting or purporting to act on their behalf, as it relates to the true-up proceeding and related appeals, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

C. The terms “document” or “documents” are used in their broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description whether printed, produced, reproduced or stored by any process whether visually, magnetically, mechanically, electronically or by hand, whether final or draft, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include writings, correspondence, telegrams, memoranda, studies, reports, surveys, statistical compilations, notes, calendars, tapes, computer disks, data on computer drives, e-mail, cards, recordings, contracts, agreements, invoices, licenses, diaries, journals, accounts, pamphlets, books, ledgers, publications, microfilm, microfiche and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form. The definition includes electronic information that has been deleted. “Document” or “documents” shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.

D. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, TIEC specifically requests that any electronic or magnetic information (which is included in the definition of “document”) that is responsive to a request herein be produced on CD-Rom in a format that is compatible with Adobe Acrobat, Microsoft, Macintosh and/or Word Perfect and be produced with your response to these requests. If emails are responsive to these requests, please provide a

searchable .pdf copy of the entire email string. Attachments to emails should be provided with the email in searchable .pdf form, unless it is stored in a different format, in which the attachment should be produced in its native format and provided on CD-Rom.

E. The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

F. “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”

G. “Any” shall be construed to include “all” and “all” shall be construed to include “any.”

H. The term “concerning,” or one of its inflections, includes the following meanings: relating to; referring to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

I. The term “including,” or one of its inflections, means and refers to “including but not limited to.”

J. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.

K. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

L. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

M. Pursuant to P.U.C. Proc. R. 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

N. If the information requested is included in previously furnished exhibits, workpapers, and responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references.

O. The term “emails” includes the entire email string and all attachments found anywhere within the email string. Please refer to paragraph “D.” regarding specific instructions for producing such items.

P. “Communications” refers to correspondence of any kind, including emails.

Q. “Identify” and “describe” shall have the meaning set forth below according to the context in which the term is used:

- i. When used in reference to an individual, shall mean to state his or her full name, present or last known residence address, business affiliation and business address, and residence and business telephone number;
- ii. When used in reference to a corporation, shall mean to state its full name, its state of incorporation, its address and its principal place of business;
- iii. When used in reference to any entity other than an individual or corporation, shall mean to state its official name, its organizational form and its address;
- iv. When used in reference to a document, shall mean to state the type of document, date, author, addressee, title, its present location, the name and address of its custodian, and the substance of the contents thereof. In lieu of identifying any document, copies thereof may be furnished; and
- v. When used in reference to a communication, shall mean to state the form of the communication (e.g., telephone conversation, letter, telegram, teletype, telecopy, written memorandum, face to face conversation, or any other form), the date of the communication or the dates on which the communication was sent and/or received if not the same, the parties to the communication, the party who initiated it, the substance of the communication, and the present location and the name and address of the custodian if the communication was non-verbal and/or of any written memorialization of the communication.

Respectfully submitted,

THOMPSON & KNIGHT LLP

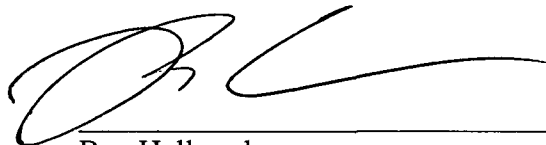


Rex D. VanMiddlesworth
State Bar No. 20449400
Benjamin Hallmark
State Bar No. 24069865
James Zhu
State Bar No. 24102683
98 San Jacinto Blvd., Suite 1900
Austin, Texas 78701
(512) 469.6100
(512) 469.6180 (fax)

ATTORNEYS FOR TEXAS INDUSTRIAL
ENERGY CONSUMERS

CERTIFICATE OF SERVICE

I, Ben Hallmark, Attorney for TIEC, hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 2nd day of August, 2017 by facsimile, electronic mail and/or First Class, U.S. Mail, Postage Prepaid.



Ben Hallmark

Exhibit A

SOAH NO. 473-17-2686
PUC DOCKET NO. 46831

APPLICATION OF EL PASO	§	BEFORE THE STATE OFFICE
ELECTRIC COMPANY TO CHANGE	§	OF
RATES	§	ADMINISTRATIVE HEARINGS

TEXAS INDUSTRIAL ENERGY CONSUMERS' THIRTEENTH SET OF REQUESTS FOR INFORMATION TO EL PASO ELECTRIC COMPANY

- TIEC 13-1. Please provide an Excel workpaper that is linked to EPE's Rebuttal Regulatory Case Working Model that provides the comparable information by class provided on the "Revenue Requirement" tab of EPE Regulatory Case Working Model - As Filed - Dkt 46831.
- TIEC 13-2. Please refer to the Rebuttal Testimony of Adrian Hernandez, page 18, lines 1-3, which states: "The values shown are at equalized rate of return (full cost of service) and do not represent the proposed distribution of revenues for rate design purposes." Is EPE's rebuttal revenue distribution proposal designed to produce an equalized rate of return for each class? If not, please cite to the rebuttal testimony that addresses EPE's revenue distribution proposal and the location in EPE's rebuttal filing where EPE's proposed revenue for each class is presented.
- TIEC 13-3. Please refer to the Rebuttal Testimony of James Schichtl regarding EPE's rollback accounting proposal on pages 47-55.
- a. In Mr. Schichtl's example on pages 49-50, the base rate of 8 cents/kWh is calculated using kWh delivered by EPE under the proposed treatment. Does EPE propose to calculate its fixed fuel factor using billing determinants based on kWh delivered, or net kWh sales (i.e. gross kWh delivered minus the DG rollback portion)? If the latter, please explain how EPE's accounting proposal will not result in a net increase in fuel and purchased power revenues for EPE.
 - b. Please describe in detail how EPE intends to account for the base and fixed fuel factor revenues from net metering customers under its accounting proposal. Will net metering customer revenues be recorded based on gross kWh delivered or net kWh sales?
 - c. Mr. Schichtl states on page 52, "At the time the rates are set, the other, non-DG customers will be indifferent [sic] EPE's proposed treatment, because the lesser revenues will either be made up by other customers through base rates (with the current accounting) or will be treated as a fuel cost (under the proposed accounting)..". Does EPE contend that non-DG customers who are in classes without net metering customers (e.g. Large Power Service) will be

indifferent to EPE's proposed treatment from a cost perspective? Please explain.

- d. Please confirm that Customers 1, 2 and 3 (the non-DG customers) in Mr. Schichtl's example on pages 49-50 represent customers in classes that currently also serve net metering customers. If confirmed, please provide a similar example that depicts the per kWh rates for a non-DG customer in a class without net metering customers under the current and proposed accounting treatment.
- e. Mr. Schichtl states on page 50, "It really is no different than the excess power which EPE takes delivery of, records as purchased power, and then credits the customer's bill at avoided cost. The only difference is price." Does EPE contend that rollback energy "purchased" by EPE is properly treated as a net addition to purchased power costs, similar to excess power? Please explain in the context of EPE's proposed treatment of revenue from net metering customers.

TIEC 13-4. Please refer to the Rebuttal Testimony of R. Clay Doyle, page 7, lines 18-22, which states: "Power flows from the 115 kV transmission lines to the 69 kV transmission lines and from 69 kV transmission lines to the 115 kV transmission lines depending on the system configuration at the time you are observing the power flow patterns."

- a. Please provide a list of each of EPE's substations that transfer power between the 115 kV and 69 kV transmission lines.
- b. Do all of EPE's substations that transfer power between the 115 kV and 69 kV transmission lines have transformers that are configured to transform voltage from 69 kV to 115 kV? If not, please indicate which substations do not have transformers that are configured to transform voltage from 69 kV to 115 kV.