

Control Number: 46831



Item Number: 786

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

APPLICATION OF EL PASO ELECTRIC
COMPANY TO CHANGE RATES

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

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PUBLIC UTILITY COMMISSION
FILING CLERK

SOAH ORDER NO. 8
SCHEDULING PREHEARING CONFERENCE AND
DISCUSSING HEARING MATTERS

1. Date and Time of Prehearing Conference

On August 10, 2017, El Paso Electric Company (EPE) filed a letter requesting that the August 18, 2017 prehearing conference be set at 1:00 p.m. to allow sufficient time for parties to travel. EPE represented that no one objected to its proposal.

Accordingly, the Administrative Law Judges (ALJs) will convene the prehearing conference on:

August 18, 2017 at 1:00 p.m.
State Office of Administrative Hearings
300 W. 15th Street, Fourth Floor
Austin, Texas

EPE will provide call-in information to the parties who need to participate in the prehearing conference telephonically. The parties must be prepared to discuss issues regarding the hearing on the merits and completion of this case.

2. Hearing Phases

Given the complexity of this case, the hearing on the merits will be divided into two phases: the Revenue Requirement phase and the Cost Allocation/Rate Design phase. Each party must designate the phase in which its witnesses will testify and communicate this information to EPE. EPE will confer with the parties to arrange for the scheduling of each witness. The ALJs

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will first convene the Revenue Requirement phase with the Cost Allocation/Rate Design phase to immediately follow. The parties must also confer and come to agreement on which phase the jurisdictional allocation issues will be taken up. EPE will present the schedule at the August 18, 2017 prehearing conference, and the parties must be prepared to discuss this issue.

In addition, to assist EPE in its scheduling efforts, the parties must inform EPE, by **August 16, 2017, at 3:00 p.m.**, which witnesses they intend to cross-examine at the hearing. The ALJs expect the parties to act in good faith and waive cross-examination of a witness if a party does not have questions for that witness. This will expedite the hearing and conserve resources needed for travel to Austin.

3. Briefing Schedule

Like the hearing, the briefing schedule will be done in phases. Given the very short amount of time to complete this case after the hearing on the merits,¹ the briefing schedule will be extremely expedited unless the jurisdictional deadline is extended. For example, the ALJs may require that closing briefs will be due three calendar days after the close of the corresponding phase of the hearing, with responses due soon after. The parties should be prepared to discuss the briefing schedule and jurisdictional deadline at the prehearing conference.

4. Hearing on the Merits

The parties must arrive by **8:00 a.m. on August 21, 2017**, and be prepared to begin promptly at 9:00 a.m. Photo identification is required to enter the building.

Each party must bring to the hearing **four copies** of their prefiled evidence: two copies for the appeal record and two copies for the court reporter. All exhibits must be pre-marked with

¹ Currently, EPE has extended the jurisdictional deadline until November 30, 2017. The Commission will consider this case over the course of two open meetings. The Commission is scheduled to hold open meetings on October 26 and November 17, 2017. Therefore, the proposal for decision must be submitted to the Commission by October 5, 2017.

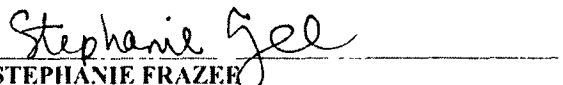
exhibit numbers and each page of each exhibit must be numbered. Each exhibit must be ready to submit to the court reporter on the first day of the hearing. Parties with multiple exhibits must provide exhibit lists for the court reporters and the ALJs.

Any party intending to offer exhibits **during cross-examination** must bring **seven copies** of the exhibits to the hearing (three copies for the ALJs, two copies for the appeal record, and two copies for the court reporter) and a sufficient number of copies for the other parties present at the hearing. Form

SIGNED August 11, 2017.



STEVEN D. ARNOLD
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



STEPHANIE FRAZER
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



KERRIE JO QUALTROUGH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS