

Control Number: 49148



Item Number: 20

Addendum StartPage: 0

RECEIVED
2019 FEB 27 PM 12:27

APPLICATION OF EL PASO
ELECTRIC COMPANY FOR
APPROVAL OF A TRANSMISSION
COST RECOVERY FACTOR

§
§
§
§

BEFORE THE COMMISSION
FILING CLERK
PUBLIC UTILITY COMMISSION
OF TEXAS

FREEPORT-MCMORAN, INC.'S MOTION TO INTERVENE

Pursuant to 16 Tex. Admin. Code (TAC) §§ 22.103 (b) and 22.104, Freeport-McMoRan, Inc. ("Freeport-McMoRan") files this Motion to Intervene. In support, Freeport-McMoRan respectfully shows as follows:

I. BACKGROUND

On January 24, 2019, El Paso Electric Company ("EPE") filed a Statement of Intent and Application for Approval of a Transmission Cost Recovery Factor ("TCRF") under section 36.209 of the Public Utility Regulatory Act (PURA) and 16 Tex. Admin. Code § 25.239 (TAC). On January 28, 2019, an Order of Referral was issued, referring the case to the State Office of Administrative Hearings.

II. STANDING TO INTERVENE

Freeport-McMoRan owns and operates an industrial facility in the EPE service territory and is a retail customer of EPE. Freeport-McMoRan will be directly affected by the Public Utility Commission of Texas' (Commission's) determinations regarding EPE's application. Accordingly, Freeport-McMoRan has a justiciable interest that may be adversely affected by the outcome of the proceeding.

III. AUTHORIZED REPRESENTATIVE

Freeport-McMoRan hereby designates the following individuals as its authorized representatives for purposes of this proceeding and requests that all pleadings, notices, correspondence, or other documents be served on them:

Andrew Kever
ENOCH KEVER PLLC
5918 W. Courtyard Drive, Suite 500
Austin, Texas 78730
(512) 615-1201 (phone)
(512) 615-1198 (fax)
akever@enochkever.com

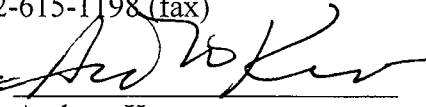
Freeport-McMoRan requests that the Commission and all parties to this proceeding serve copies of all notices, correspondence, pleadings, briefs, requests for information, and other documents on Freeport-McMoRan's above-listed representatives.

IV. PRAYER

Freeport-McMoRan respectfully requests that its motion to intervene be granted and that it receive such other and further relief to which it may be justly entitled.

Respectfully submitted,

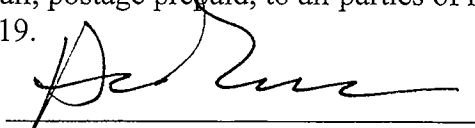
Freeport-McMoRan, Inc.
Michael McElrath
333 North Central Avenue
Phoenix, Arizona 85004
602-366-8361 (phone)
602-366-7314 (fax)
mmcelrat@fmi.com

ENOCH KEVER PLLC
5918 W. Courtyard Drive, Suite 500
Austin, Texas 78730
512-615-1201 (phone)
512-615-1198 (fax)
By: 
Andrew Kever
State Bar No. 11367050
akever@enochkever.com

**ATTORNEYS FOR FREEPORT-
MCMORAN, INC.**

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been hand delivered or sent via facsimile transmission or first class United States mail, postage prepaid, to all parties of record in this proceeding on this the 27th day of February, 2019.


Andrew Kever