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SOAH DOCKET NO. 473-19-1819
PUC DOCKET NO. 49482

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APPLICATION OF EL PASO
ELECTRIC COMPANY TO
IMPLEMENT AN INTERIM
FUEL REFUND

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PUBLIC UTILITY COMMISSION
BEFORE THE STATE OFFICE
FILING CLERK
OF
ADMINISTRATIVE HEARINGS

**ORDER NO. 1
FILING DESCRIPTION AND NOTICE OF PREHEARING CONFERENCE**

Filing Description

On April 29, 2019, El Paso Electric Company (EPE) filed a petition seeking to implement an interim refund of net fuel cost over-recoveries. According to the petition, EPE is seeking authorization to refund \$19,219,730 of over-recovered costs and \$166,400 of interest, for a net total of \$19,386,130. This balance is made up of: (1) the principal of (\$385,742) and interest of (\$32,261) balances from Docket No. 46308; (2) the cumulative over-collection of fuel costs and interest from April 2016 through March 2019 of \$19,605,472 and \$96,359, respectively; and (3) interest for the period April 2019 through September 2019 of \$102,302. This total assumes that the Public Utility Commission of Texas (Commission) will authorize the fuel refund in time for implementation beginning with EPE's June 2019 billing cycle.

The Commission has jurisdiction over this proceeding pursuant to PURA §§ 14.001, 36.001, and 36.203.¹ The Commission referred this case to the State Office of Administrative Hearings (SOAH) on April 30, 2019, requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision (PFD), if necessary. SOAH has jurisdiction over matters relating to the conduct of the hearing in these proceedings pursuant to Tex. Gov't Code § 2003.049.

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.017 (PURA).

Notice of Prehearing Conference

A prehearing conference will convene in this matter at 10:00 a.m. on May 16, 2019, at the SOAH hearing facilities located at the William P. Clements Office Building, 300 West 15th, Fourth Floor, Austin, Texas. The following matters will be discussed:

1. Any pending motions to intervene.
2. An interim order to allow EPE to implement its proposed refund beginning with the June 2019 billing cycle.
3. Any other motion filed by 3:00 p.m. on May 13, 2019.
4. Proper notice of the proceeding.
5. A procedural schedule.
6. The protective order proposed by EPE.
7. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

Those attending the prehearing conference are advised that they must check in with building security personnel in the lobby of the William P. Clements Building and be issued visitor badges before proceeding to the hearing room. The parties should allow sufficient time for the check-in procedure.

Any party desiring to appear at the prehearing conference by telephone should provide the telephone number where they can be reached to Lee Curry at (512) 463-0203 no later than 3:00 p.m. on May 15, 2019.

Discovery

Discovery may begin immediately pursuant to Subchapter H of the Commission's Procedural Rules.


Filing and Service Procedures

All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. Parties wishing to hand-deliver a file-stamped copy of a pleading to the ALJ should deliver it to Room 504, 5th Floor, Clements Building, 300 W. 15th St., Austin, Texas. Parties may email copies of any length to Ms. Curry at lee.curry@soah.texas.gov as long as all other parties are copied on the same email.

The procedures regarding filing specified in Subchapter E of the Commission's procedural rules apply in this proceeding. Parties are expected to know those procedures and comply with them fully. Pleadings and other filings shall be deemed filed when the proper number of legible copies are presented to the Commission filing clerk for filing. P.U.C. Proc. R. 22.71(c).

Parties may contact Ms. Curry at lee.curry@soah.texas.gov or at (512) 463-0203 if they have a procedural question.

SIGNED April 30, 2019.


REBECCA S. SMITH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS