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**SOAH DOCKET NO. 473-19-4423
PUC DOCKET NO. 49496**

2019 JUN -5 AM 10:12
STATE OFFICE
FILED CLERK

<p>APPLICATION OF EL PASO ELECTRIC COMPANY TO ADJUST ITS ENERGY EFFICIENCY COST RECOVERY FACTOR AND ESTABLISH REVISED COST CAP</p>	<p>§ § § § §</p>	<p style="text-align: center;">BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS</p>
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**SOAH ORDER NO. 3
ADOPTING PROPOSED PROCEDURAL SCHEDULE AND CANCELLING
PREHEARING CONFERENCE; NOTICE OF HEARING; ADDRESSING
SUFFICIENCY OF APPLICATION AND NOTICE; AND EXTENDING DEADLINE**

**I. ADOPTING PROPOSED PROCEDURAL SCHEDULE AND
CANCELLING PREHEARING CONFERENCE**

On June 5, 2019, El Paso Electric Company (EPE) filed a letter to adopt an agreed proposed procedural schedule and waive the prehearing conference scheduled for June 6, 2019. This request is **GRANTED**, and the following procedural schedule as set out below is **ADOPTED**. The prehearing conference scheduled for June 6, 2019, is **CANCELLED**.

Event	Deadline
Deadline to intervene	June 14, 2019
Deadline to serve discovery on EPE direct	June 14, 2019
Intervenor Direct Testimony Objections to EPE direct	June 20, 2019
Staff Direct Testimony Objections to Intervenor Direct	June 27, 2019
Objections to Staff Direct Replies to Objections to Intervenor Direct	July 3, 2019
Deadline to serve discovery on Staff Direct and Intervenor Direct	July 3, 2019
EPE Rebuttal Intervenor Cross-Rebuttal	July 3, 2019

Event	Deadline
Statement of positions if necessary pursuant to 16 Tex. Admin. Code §22.124 (TAC)	July 3, 2019
Replies to Objections to Staff Direct	July 8, 2019
Objections to Rebuttal and Cross-Rebuttal	July 8, 2019
Deadline to serve discovery on Rebuttal and Cross-Rebuttal	July 8, 2019
Replies to objections to Rebuttal and Cross-Rebuttal	Live at hearing
Hearing on the merits	July 10, 2019
Initial Briefs	August 7, 2019
Reply Briefs	August 14, 2019

II. NOTICE OF HEARING

IT IS, THEREFORE, ORDERED that the Administrative Law Judge (ALJ) will convene a hearing at **9:30 a.m. on July 10, 2019, at the State Office of Administrative Hearings, William P. Clements Building, 300 W. 15th Street, Fourth Floor, Austin, Texas.** The parties are advised that they must clear security at the security desk in the foyer of the Clements Building and they should allow sufficient time to complete the process.

III. SUFFICIENCY OF APPLICATION AND NOTICE

On May 31, 2019, Staff filed comments recommending that EPE's application and notice be deemed sufficient. The ALJ finds EPE's application and notice of the application sufficient.

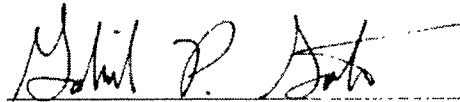
IV. EXTENDING DEADLINE

The parties requested that the 180-day deadline in 16 Texas Administrative Code § 25.182(d)(9)(E) be extended as a result of parties' conflicts with other commitment in reaching a proposed procedural schedule. The parties were unable to identify a procedural schedule that

would allow the Public Utility Commission of Texas to issue a final order within 180-days of the filing of the case and EPE requested a good cause exception.¹

The ALJ finds good cause and this request is **GRANTED**. The 180-day deadline is **EXTENDED** to **December 15, 2019**. Parties **SHALL** comply with the preliminary order and ensure a final order is processed to allow all deadlines to be met.

SIGNED June 5, 2019.



GABRIEL P. SOTO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

¹ The 180-day deadline from the application filing is October 28, 2019. The Commission has identified open meetings scheduled for November 14, 2019, and December 13, 2019. In order to allow sufficient time for a final order to be processed it is necessary to extend the 180-day deadline as requested by EPE.