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DOCKET NO. 50477

**COMPLIANCE FILING FOR DOCKET
NO. 49849 (JOINT REPORT AND
APPLICATION OF EL PASO
ELECTRIC COMPANY, SUN JUPITER
HOLDINGS LLC, AND IIF US
HOLDING 2 LP FOR REGULATORY
APPROVALS UNDER PURA §§ 14.101,
39.262, AND 39.915)**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ORDER NO. 12
REQUIRING COMMISSION STAFF RECOMMENDATION**

This Order addresses El Paso Electric Company's (EPE) May 14, 2021 and June 1, 2021 filing in this docket to achieve compliance with certain requirements in the final Order in Docket No. 49849.¹ The May 11, 2021 filing is submitted in accordance with Finding of Fact 60(c)-(e) and Ordering Paragraph 9, which impose limits on the circumstances under which EPE may pay a dividend and require EPE to file quarterly dividend reports. The June 1, 2021 filing is submitted to provide an update on EPE's compliance with the regulatory commitments found in Finding of Facts 54 through 73.

In Order No. 11 filed on May 18, 2021, the administrative law judge required Commission Staff to file a recommendation whether EPE's March 31, 2021 decision to not issue a dividend and its May 14, 2021 report demonstrate its compliance with Finding of Fact 60(c)-(e), Ordering Paragraph 9, and any other applicable provisions of the final Order in Docket No. 49849. To date, Commission Staff has not filed a response to Order No. 11.

By July 9, 2021, Commission Staff must file a recommendation whether EPE's March 31, 2021 decision to not issue a dividend and its May 14, 2021 report demonstrate its compliance with Finding of Fact 60(c)-(e), Ordering Paragraph 9, and any other applicable provisions of the final Order in Docket No. 49849. Additionally, Commission Staff must include

¹ *Joint Report and Application of El Paso Electric Company, Sun Jupiter Holdings LLC, and IIF US Holding 2 LP for Regulatory Approvals Under PURA §§ 14.101, 39.262, and 39.915, Docket No. 49849, Final Order (Jan 28, 2020).*

a recommendation on whether EPE's June 1, 2021 filing demonstrates its compliance with the regulatory commitments found in Finding of Fact 54 through 73.

Signed at Austin, Texas the 18th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Hunter Burkhalter", written over a horizontal line.

for

**HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE**