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DOCKET NO. 50575



APPLICATION OF EL PASO
ELECTRIC COMPANY TO
IMPLEMENT SECOND UPDATED
REFUND TARIFF FOR FEDERAL
INCOME TAX RATE DECREASE IN
COMPLIANCE WITH DOCKET NO.
46831

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PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

COMMISSION STAFF'S COMMENTS

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files these Comments. In support thereof, Staff shows the following:

I. BACKGROUND

On February 20, 2020, El Paso Electric Company (EPE) filed an application for approval to implement a second updated refund tariff for a federal income tax rate decrease in compliance with Docket No. 46831. EPE proposes no change to the existing federal tax refund factors, but does propose the inclusion of additional tariff language to clarify that the refund factors do not apply to riders, such as the transmission cost recovery factor or the distribution cost recovery factor. EPE states that the riders already incorporate the lower income tax rate. EPE requests approval of the language change with interim or final approval be made effective April 1, 2020.

On February 25, 2020, Order No. 1 was issued, establishing a deadline of March 17, 2019, for Staff to file comments regarding EPE's application and propose an appropriate method for processing this proceeding. This pleading is therefore timely filed.

II. COMMENTS ON SUFFICIENCY OF APPLICATION AND NOTICE

Staff has reviewed the application and recommends that it be found administratively complete. Staff has also reviewed the notice proposed by EPE and recommends that it be approved and found to be in compliance with the requirements of 16 Tex. Admin. Code § 22.55. In addition, Staff also recommends that EPE be directed to include the established intervention deadline along with a copy of this application for its notice. In addition, Staff supports EPE's request to that the tariff be implemented on an interim basis, subject to final approval.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for processing of this docket:

Event	Deadline
EPE to file proof of notice	April 13, 2019
Deadline for intervention and deadline for intervenors to request a hearing	May 4, 2019
Deadline for Staff to request a hearing or file a final recommendation	May 11, 2019
Deadline for parties to file an agreed proposed order, if no hearing is requested	May 18, 2019

IV. CONCLUSION

Staff recommends that the application and notice be found sufficient, that EPE's request to implement the refund tariff on an interim basis be granted, and that the procedural schedule proposed above be adopted.

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

/s/ Rashmin J. Asher
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 17, 2020 in accordance with 16 TAC § 22.74.

/s/ Rashmin J. Asher
Rashmin J. Asher