



Control Number: 52081



Item Number: 17

Addendum StartPage: 0

**SOAH DOCKET NO. 473-21-2427
PUC DOCKET NO. 52081**

2021 JUN 23 PM 3:15

<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. 2
ADOPTING PROCEDURAL SCHEDULE AND SETTING DATE FOR HEARING ON
THE MERITS, GRANTING INTERVENTIONS, AND APPROVING NOTICE**

**I. ADOPTING PROCEDURAL SCHEDULE AND SETTING DATE FOR
HEARING ON THE MERITS**

On June 7, 2021, the parties filed an agreed procedural schedule that includes dates for two potential scenarios: (1) if a hearing is requested; and (2) if a hearing is not requested. Because the City of El Paso requested a hearing, only the schedule when a hearing has been requested is set out below. Based on the parties' agreement, the following proposed procedural schedule is **ADOPTED:**

Deadline to intervene	June 17, 2021
Deadline to serve discovery on EPE direct*	July 12, 2021
Intervenor Direct Testimony	
Objections to EPE direct	July 19, 2021
Staff Direct Testimony	
Objections to Intervenor Direct	August 3, 2021
Objections to Staff Direct	
Replies to Objections to Intervenor Direct	August 10, 2021
Deadline to serve discovery on Staff Direct and Intervenor Direct	July 20, 2020
EPE Rebuttal	
Intervenor Cross-Rebuttal	August 13, 2021
Statement of positions if necessary pursuant to 16 Tex. Admin. Code § 22.124 (TAC)	August 13, 2021
Replies to Objections to Staff Direct	August 17, 2021

Deadline to serve discovery on Rebuttal and Cross-Rebuttal Objections to Rebuttal and Cross-Rebuttal	August 18, 2021
Replies to objections to Rebuttal and Cross-Rebuttal	Live at Hearing
Hearing on the Merits	August 24, 2021 9:00 a.m., Central
Initial Briefs	September 3, 2021
Reply Briefs	September 13, 2021

The parties have agreed to the following timelines for discovery:

- Responses to discovery on EPE direct will be due in 15 calendar days.
- Responses to discovery on intervenor and staff direct will be due in 5 calendar days.
- Responses to discovery on rebuttal and cross-rebuttal will be due in 3 calendar days.

The parties also agreed to email service except that EPE may serve discovery responses by use of secure workspace.

The hearing on the merits will convene as a videoconference at 9 a.m. on August 24, 2021. At that time, you may access the videoconference by going to <https://soah-texas.zoomgov.com/> and entering the following information when prompted:

Meeting ID: 161 858 1230
Passcode: pNW6m2

If you are unable to access audio once you have joined the hearing, you can access audio by calling one of the following numbers:

1 (669) 254-5252
1 (646) 828-7666

Once prompted on the telephone, you will enter the meeting ID and passcode.¹

Meeting ID: 161 858 1230
Passcode: 972461

¹ Please note the password for audio-only telephone is different from the password used to access the videoconference.

II. GRANTING INTERVENTIONS

The City of El Paso and Texas Industrial Energy Consumers (TIEC) filed motions to intervene prior to June 4, 2020. At the prehearing conference, EPE stated that it did not oppose the City of El Paso's motion. EPE did not file a response to TIEC's motion. The motions to intervene filed by the City of El Paso and TIEC are **GRANTED**.

III. APPROVING NOTICE

On June 1, 2021, the Staff of the Public Utility Commission of Texas filed a statement recommending that EPE's notice be found sufficient. On May 13, 2021, EPE filed its proof of notice. Based on these filings, EPE's notice is deemed sufficient.

SIGNED: June 23, 2021.



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