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<b>APPLICATION OF TEXAS-NEW</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION OF</b>
<b>MEXICO POWER COMPANY FOR</b>	<b>§</b>	<b>TEXAS</b>
<b>APPROVAL TO ADJUST THE ENERGY</b>	<b>§</b>	
<b>EFFICIENCY COST RECOVERY</b>	<b>§</b>	
<b>FACTOR</b>	<b>§</b>	

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**JOINT MOTION TO ADMIT EVIDENCE AND REMAND TO THE PUBLIC UTILITY  
COMMISSION OF TEXAS**

COMES NOW, Texas-New Mexico Power Company (“TNMP”), with the consent and approval of the Staff of the Public Utility Commission of Texas (“Staff”) (jointly, “the Signatories”), and Cities Served by Texas-New Mexico Power (“Cities”) and files this Joint Motion to Admit Evidence and Remand to the Commission (“Motion”).

On July 28, 2021, TNMP, Cities, and Staff filed a Stipulation and Settlement Agreement (the “Settlement Stipulation”). The Settlement Stipulation resolves all issues in this proceeding and thus the parties file this Joint Motion to Admit Evidence and Remand to the Public Utility Commission of Texas (“Commission”).

**I. MOTION TO ADMIT EVIDENCE**

TNMP respectfully requests that the Administrative Law Judge (ALJ) enter an order admitting the following into evidence:

- a. TNMP’s application and attachments, including the Direct Testimony of Stefani M. Case, the Direct Testimony of Stacy R. Whitehurst, and the Direct Testimony of Michael S. Seamster filed on May 27, 2021;
- b. Affidavit Verifying Service by TNMP, filed on June 9, 2021;
- c. Commission Staff’s Response to SOAH Order No. 1 commenting on Sufficiency of Notice filed on June 16, 2021;
- d. TNMP’s Responses to Commission Staff’s First Request for Information filed on July 6, 2021;
- e. TNMP’s Responses to Cities’ First Request for Information, filed on July 6, 2021;
- f. Affidavit of Jamie L. Mauldin with Cities’ rate case expense supporting documentation, filed on July 26, 2021;

- g. The Settlement Stipulation filed on July 28, 2021;
- h. Commission Staff's final recommendation, filed on August 6, 2021.

The parties request the documents in this proceeding be admitted into evidence for the limited purpose of supporting the Settlement Stipulation.

## **II. MOTION TO REMAND TO THE COMMISSION**

On August 6, 2021, TNMP filed a Proposed Order that has the support of all the parties to this proceeding. The Proposed Order resolves all issues in this proceeding. TNMP requests that the ALJ enter an order dismissing this case from the SOAH docket and remanding it to the Commission for consideration of the Proposed Order.

## **III. CONCLUSION**

WHEREFORE, TNMP respectfully requests, on behalf of itself and all the Signatories, that the ALJ enter an order admitting the above-referenced evidence for the limited purpose of supporting the Settlement Stipulation and remanding this docket to the Commission for review and consideration of the Proposed Order and for further proceedings consistent with the Settlement Stipulation, and grant Signatories any and all other relief consistent with the Settlement Stipulation.

Respectfully submitted,

**TEXAS-NEW MEXICO POWER COMPANY**

**PUBLIC UTILITY COMMISSION OF TEXAS**

/s/ Stephanie C. Sparks

Stephanie C. Sparks  
State Bar No. 24042900  
Vedder Price P.C.  
100 Crescent Court, Suite 350  
Dallas, Texas 75201  
(469) 895 4800  
(469) 895 4802 (facsimile)  
ssparks@vedderprice.com

/s/ Forrest Smith

Forrest Smith  
State Bar No. 24093643  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7388  
(512) 936-7268 (facsimile)  
Forrest.Smith@puc.texas.gov

Scott Seamster  
State Bar No. 00784939  
Associate General Counsel  
577 N. Garden Ridge Blvd.  
Lewisville, Texas 75067  
(214) 222-4143  
(214) 222-4156 (Fax)  
scott.seamster@pnmresources.com

**CITIES SERVED BY TEXAS-NEW MEXICO POWER COMPANY**

/s/ Robyn Katz

Jamie L. Mauldin  
State Bar No. 24065694  
Robyn Katz  
State Bar No. 24060985  
Lloyd Gosselink Rochelle & Townsend, P.C.  
816 Congress Avenue, Suite 1900  
Austin, Texas 78701  
512-322-5800 Telephone  
512-472-0532 Facsimile  
jmauldin@lglawfirm.com  
rkatz@lglawfirm.com

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served on all parties in this proceeding on August 20, 2021 by electronic transmission, facsimile transmission, or first class mail.

*/s/ Stephanie C. Sparks*  
Counsel