



## Filing Receipt

**Received - 2021-09-06 03:00:31 PM**  
**Control Number - 52195**  
**ItemNumber - 155**

**SOAH DOCKET NO. 473-21-2606**  
**PUC DOCKET NO. 52195**

|                               |   |                                |
|-------------------------------|---|--------------------------------|
| <b>APPLICATION OF EL PASO</b> | § | <b>BEFORE THE STATE OFFICE</b> |
|                               | § |                                |
| <b>ELECTRIC COMPANY TO</b>    | § | <b>OF</b>                      |
|                               | § |                                |
| <b>CHANGE RATES</b>           | § | <b>ADMINISTRATIVE HEARINGS</b> |

**CITY OF EL PASO’S ELEVENTH REQUESTS FOR INFORMATION  
TO EL PASO ELECTRIC COMPANY QUESTIONS CEP 11-1THROUGH CEP 11-23**

The City of El Paso (the “City”) requests that the El Paso Electric Company (“EPE”) provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within twenty (20) calendar days. Please copy the question immediately above the answer to each question. The question(s) are continuing in nature, and if there is a relevant change in circumstances, such as that new or additional information or review reveals that an answer previously made is no longer complete or is inaccurate, that EPE submit an amended answer, under oath, as a supplement to your original answer within five days of the discovery of new or additional information. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

The City requests that EPE serve its respective responses to this Request on the following person via electronic mail and delivery of hard copies:

Norman J. Gordon  
PO Box 8  
El Paso, Texas, 79940  
221 N. Kansas, Suite 700  
El Paso, Texas, 79901  
ngordon@ngordonlaw.com

Manuel Arambula, Senior Assistant City Attorney  
300 N. Campbell, Third Floor  
El Paso, Texas, 79901  
[Arambulaml@elpasotexas.gov](mailto:Arambulaml@elpasotexas.gov)

## DEFINITIONS AND INSTRUCTIONS

1. This Request is directed to El Paso Electric Company ("EPE"). Reference to EPE, **"you" or "your"** means all divisions, departments, bureaus, agencies, and all witnesses whose testimony EPE intends to present, and all persons acting or purporting to act for or on behalf of EPE, including its directors, officers, employees, and agents.

2. The terms **"document" and "documents"** are used in their broadest sense and shall mean and include all written, printed, electronic, typed, recorded, or graphic matter of every kind and description, including drafts, originals and copies, and all attachments and appendices thereto. Without limiting the foregoing, the terms "document" or "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time books, time records, instructions, work assignments, financial statements, work sheets, workpapers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultant reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing) and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, electronically-stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made.

3. **"Person"** means any natural person, firm, association, partnership, joint venture, corporation, estate, trust, receiver syndicate, municipal corporation, government agency, any other form of legal entity, and other group or combination acting as a unit.

4. **"Relating to"** a subject means making a statement about, mentioning, referring to, discussing, describing, reflecting, identifying, dealing with, consisting of, constituting or in any way pertaining, in whole or in part, to the subject.

5. **"Identify"** means:

- a. as to a "person," stating his, her or its:
  - (i) legal, full, and customarily used names;
  - (ii) present residential or business address;
  - (iii) job title; and
  - (iv) name of employer.
- b. as to a document, act, event, transaction or occurrence, stating:
  - (i) its date, authors or participants;
  - (ii) the place where it took place, was created or occurred;
  - (iii) its purpose and subject matter; and
  - (iv) a concise description of what transpired.

6. For each response, please state the Request for Information and identify the individual(s) responsible for preparing and sponsoring the response by name and title.

7. Pursuant to Rule 196.4, Texas Rules of Civil Procedure, any electronic or magnetic data included in the definition of document should be produced on a CD-ROM or similar media that is compatible with Microsoft Office software.

8. For each document produced that is generated by computer, please identify:
- a. the nature and source of the data constituting the input;
  - b. the form of the input (e.g., tapes, punch cards);
  - c. the recording system employed (e.g., program, flow charts); and
  - d. the person(s) responsible for processing the input and/or performing the programming.

9. “**Each**” shall be construed to include the word “**every**” and “**every**” shall be construed to include the word “**each**”.

10. “**Any**” shall be construed to include “**all**” and “**all**” shall be construed to include “**any**.”

11. The terms “**and**” and “**or**” shall be construed as either disjunctive or conjunctive as necessary to make this request inclusive rather than exclusive.

12. The term “**concerning**” includes the following meanings: relating to; pertaining to; regarding; discussion; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically, or factually connected to the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

13. The term “**including**” means and refers to “including but not limited to.”

14. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.

15. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

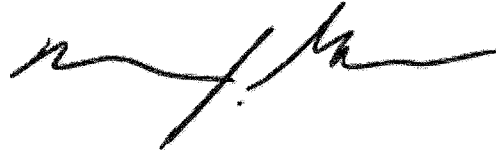
Dated September 7, 2021

Respectfully submitted,

Norman J. Gordon ([ngordon@ngordonlaw.com](mailto:ngordon@ngordonlaw.com) )  
State Bar No. 08203700  
P.O. Box 8  
El Paso, Texas, 79940  
221 N. Kansas, Suite 700  
El Paso, Texas, 79901  
(915) 203 4883

Karla M. Nieman, City Attorney  
State Bar No. 24048542  
Manuel Arambula, Senior Assistant City Attorney  
State Bar No. 24047423  
Frances M. Maldonado Engelbaum  
State Bar No. 24094272  
City of El Paso  
300 N. Campbell, 2<sup>nd</sup> Floor  
El Paso, Texas 79901  
(915) 212-0033  
(915) 212-0034 (fax)  
[Arambulam1@elpasotexas.gov](mailto:Arambulam1@elpasotexas.gov)  
[Niemankm@elpasotexas.gov](mailto:Niemankm@elpasotexas.gov)  
[Engelbaumfm@elpasotexas.gov](mailto:Engelbaumfm@elpasotexas.gov)

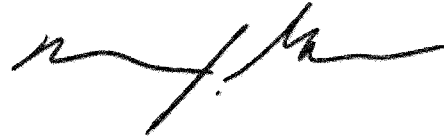
Attorneys for the City of El Paso



By: \_\_\_\_\_  
Norman J. Gordon

**Certificate of Service**

I certify that a true and correct copy of this document was served by e-mail and/or US mail on all parties of record in this proceeding on September 6, 2021.

A handwritten signature in black ink, appearing to read 'N. J. Gordon', written over a horizontal line.

Norman J. Gordon

PUC Docket No. 52195  
City of El Paso's RFIs  
Questions CEP 11-1---CEP 11-23

- CEP 11-1. **Rate Base**-Is it correct that EPE experienced a failure on a fuel oil forwarding pump and a fuel oil leak at the Newman Power Plant in November 2019?
- CEP 11-2. **Rate Base** If the answer to the previous question is yes, please
- CEP 11-3. **Rate Base** Identify the costs incurred in the test year for the fuel oil cleanup that was completed in March 2020?
- CEP 11-4. **Rate Base** Identify any cleanup costs incurred in 2020 which were adjusted in EPE's claim for Operation and maintenance expenses in this case
- CEP 11-5. **Rate Base** Identify any cleanup or repair costs related to the failure on the fuel oil forwarding pump at the Newman Power Plant in November 2019 which were capitalized and included in EPE's requested plant in service in this case.
- CEP 11-6. **Rate Base** Did EPE adjust Plant in Service and/or rate base in this case to reflect the decision not to repair or replace the aging pumps, pipes and valves of the fuel Oil system at the Newman Power Plant after the failure of the fuel oil forwarding pump and fuel leak in November 2019?
- CEP 11-7. **Rate Base** Has EPE written off the cost of that fuel oil?  
a. If so, please identify the place(s) in the filing package testimony and/or schedules where the adjustment was made, including the components of such adjustment.  
b. If not please explain why not
- CEP 11-8. **Rate Base** If the answer to the previous question is yes, please identify when the write-off took place and the treatment of any carrying costs of the fuel oil written off.
- CEP 11-9. **Rate Base** When did EPE transfer the fuel oil inventory in storage at the Newman Power Plant
- CEP 11-10. **Rate Base** What was the price EPE received for the removal?

- CEP 11-11. **Rate Base** What costs will EPE incur for any additional cleanup after the removal of the fuel inventory?
- CEP 11-12. **Rate Base** What was the value of the fuel inventory at cost of the fuel inventory at Newman Station as of 12-30-3030?
- CEP 11-13. **Rate Base**-How has EPE treated the loss in value of that fuel inventory in this case?
- CEP 11-14. **Rate Base** What accounting treatment has EPE utilized for the value of the fuel inventory which was sold?
- CEP 11-15. **Cost Allocation-Rate Design** Reference the testimony of EPE witness Carrasco at page 70-71 please provide the compilation of reproduction cost data discussed on lines 28-31 and the complete development of the analysis for rate design.
- CEP 11-16. **Cost Allocation Rate Design**-Reference the testimony of EPE witness Carrasco at page 70-71, please identify any rate classes other than lighting classes for which reproduction cost data was utilized in the rate design, and the analysis for those classes.
- CEP 11-17. **Cost Allocation Rate Design** -Reference the testimony of EPE witness Carrasco at page 72-73, please provide the number and cost of all non-LED Lamps stocked items in EPE's inventory.
- CEP 11-18. **Cost Allocation Rate Design** Does EPE maintain an inventory of non-LED Lamps that are assigned to any rate class other than Area Lighting, Rate Schedule No. 28?
- a. Identify the number of such lamps
  - b. Total cost of such lamps
  - c. Rate class (s) to which such costs are allocated or assigned.
  - d. Cell and sheet references in EPE's Regulatory Case Working Model which show the assignment or allocation of such items.
- CEP 11-19. **GCRF-Factor Request**-Reference the Settlement Agreement between EPE and Chaparral Community Coalition for Health and Environment and Sierra Club in SOAH Docket No. 582-21-1740 (TCEQ Docket No 2021-0314-AIR) executed by EPE on August 16, 2021. ("Agreement")
- a. Will EPE be requesting recovery of any portion of the \$500,000 to be paid pursuant to Paragraphs 3.5 or 3.6 of the agreement from Texas ratepayers in any fashion?



- b. Will EPE be requesting recovery of any portion of the \$400,000 to be paid to a charitable fund (Community Project fund in Section 3.6 of the Agreement from Texas ratepayers in any fashion?
  - c. Will EPE be requesting any portion of the \$40,000 paid to Protestants as identified in paragraph 3.8 of the Agreement from Texas ratepayers in any fashion?
- CEP 11-20. **Accounting-**For each executive officer with a salary of \$50,000 or more, please provide the following information:
- CEP 11-21. **Accounting-**
  - a. Please provide the name, title and annual salary of each such officer with costs included in test year expense. Please provide the amount of the annual salary included in test year expense and the amount capitalized. Also, please provide the amount of short-term, long-term, and other compensation included in test year expense for each officer.
  - b. Please provide the name, title and annual salary of each such officer that will be included in operating expense in the rate effective (rate year). Please provide the amount of the annual salary included in rate year expense and the amount capitalized. Also, please provide the amount of short-term, long-term, and other compensation included in the rate year expense for each officer.
  - c. Please provide the name, title and annual salary level of each such officer on the payroll immediately before the merger took place.
  - d. Please provide the name, title and salary of each such officer currently in those positions.
  - e. Please provide the name, title and annual salary level of each interim officer and the time period over which the officer served.
- CEP 11-22. **Accounting-**Please provide the amount of short-term incentive compensation expense paid to Board of Directors members and included in operating expense for ratemaking purposes.
- CEP 11-23. **Accounting-**Please provide the amount of long-term incentive compensation expense paid to Board of Directors members and included in operating expense for ratemaking purposes.