



## Filing Receipt

**Received - 2021-09-13 01:29:14 PM**  
**Control Number - 52195**  
**ItemNumber - 170**

**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 THIRTEENTH REQUESTS FOR INFORMATION  
TO EL PASO ELECTRIC COMPANY QUESTIONS CEP 13-1THROUGH CEP 13-29**

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.

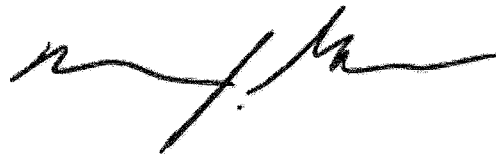
Dated September 13, 2021

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)

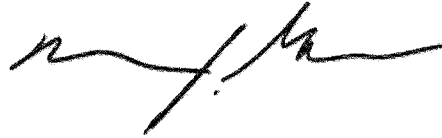
Attorneys for the City of El Paso



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 13, 2021.

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

Norman J. Gordon

PUC Docket No. 52195  
City of El Paso's Thirteenth RFIs  
Questions CEP 13-1---CEP 13-29

- CEP 13-1. Rate Base** Reference EPE's Response to CEP RFI 5-9 and pages 837-838 of the Voluminous Confidential Response to CEP RFI-5-12, Attachment 4. Please provide pages 837 and 838 unredacted.
- CEP 13-2. Rate Base** Reference EPE's response to CEP RFI 5-12, Attachment 4, Confidential, page 633:
- a. Please provide a page 633 unredacted.
  - b. Please identify what is meant by the last 6 words in the first paragraph.
- CEP 13-3. Rate Base** Reference EPE's response to CEP RFI 5-12, Attachment 4, Confidential, page 628. Please identify the author of the document
- CEP 13-4. Rate Base** Reference EPE's response to CEP RFI 5-12, Attachment 4, Confidential, page 621. To the Extent not included in Attachment 4, confidential, please provide the entire support and backup for the letter [Untitled.pdf] attached to the E-mail
- CEP 13-5. Rate Base** Reference EPE's response to RFI 5-3 Please provide all documents relied upon by Matthew Behrens in preparing the response and giving his opinion regarding federal law referenced in the last sentence of the response.
- CEP 13-6. Rate Base** Reference the response to CEP RFI 5-4, Do any documents exist which were in the possession of EPE in 2017 or prior supporting the amount paid for the subject right-of-way, other than the April 28, 2014 *Wall Street Journal* article attached to the response to CEP RFI 5-5?
- a. If so, please produce such documents.
  - b. If any documents were destroyed. Please identify when and why they were destroyed
- CEP 13-7.** Please provide EPE's written policy for review and approval for capital projects, along with samples of cost/benefit analyses and other information forms submitted to management to support approval of major capital projects.
- CEP 13-8.** Reference EPE's response to CEP 1-6, Attachment 1, please identify the identify any past commission orders that have approved the treatment of purchased spinning reserves as non-fuel costs to be included in base rates.
- CEP 13-9.** Reference EPE's response to CEP 1-6, Attachment 1, please identify the specific costs on each monthly invoice excluding the Macho Springs and Newman Solar

PPAs that are included in the Company's requested base rates and explain the basis for treatment of such amounts as non-fuel base rate costs.

- CEP 13-10. Reference EPE's response to CEP 1-7, please provide EPE's charges for energy and capacity and associated energy (MWh) and capacity sales under each identified contract that was not a full requirements contract for each month of the Test Year and provide the basis for such charges.
- CEP 13-11. Reference EPE's response to CEP 1-7, please provide the FERC orders approving each identified power sales agreement.
- CEP 13-12. Reference EPE's response to CEP 1-11, please explain the primary factors that contributed to the increases reflected in the requested "Test Year Adjusted" levels of PVNGS O&M expense in FERC accounts 523 and 524, when compared to the average level of expenses incurred in each of these accounts during the 2016-2019 period.
- CEP 13-13. Reference EPE's response to CEP 1-11, please explain the primary factors that contributed to the increases reflected in the requested "Test Year Adjusted" levels of Newman plant O&M expenses in FERC accounts 505, 506, 507, 512 and 513, when compared to the average level of expenses incurred in each of these accounts during the 2016-2019 period.
- CEP 13-14. Reference EPE's response to CEP 1-11, please explain the primary factors that contributed to the increases reflected in the requested "Test Year Adjusted" levels of Copper plant O&M expenses in FERC accounts 552, 553 and 554, when compared to the average level of expenses incurred in each of these accounts during the 2016-2019 period.
- CEP 13-15. Reference EPE's response to CEP 1-11, please explain the primary factors that contributed to the increases reflected in the requested "Test Year Adjusted" level of Rio Grande Unit 9 O&M expenses in FERC account 554, when compared to the average level of expenses incurred in this account during the 2016-2019 period.



- CEP 13-16. Reference EPE's response to CEP 1-11, please explain the primary factors that contributed to the increases reflected in the requested "Test Year Adjusted" levels of Montana plant O&M expenses in FERC accounts 546, 550, 551, 552, 553 and 554, when compared to the average level of expenses incurred in each of these accounts during the 2016-2019 period.
- CEP 13-17. Reference EPE's response to CEP 1-12, please provide project descriptions, project purpose and supporting cost/benefit analyses for the five largest (most costly) capital projects reflected in the Palo Verde Station plant capital addition amounts reported for 2017, 2018, 2019 and the test year, and indicate whether each project has been previously reviewed and approved by the Commission.
- CEP 13-18. Reference EPE's response to CEP 1-12, please provide project descriptions, project purpose and supporting cost/benefit analyses for the five largest (most costly) capital projects reflected in the Newman plant capital addition amounts reported for 2017, 2018, 2019 and the test year, and indicate whether each project has been previously reviewed and approved by the Commission.
- CEP 13-19. Reference EPE's response to CEP 1-13, please define blanket projects and non-blanket projects as used in this response.
- CEP 13-20. Reference EPE's response to CEP 1-13, please provide a list of EPE's blanket capital projects including a brief description of each project, purpose of each project, and capital additions under each project for each of the last four calendar years, the test year, and total requested for the first time in this case.
- CEP 13-21. Please provide EPE's policies governing review and approval of blanket capital additions.
- CEP 13-22. Please provide cost/benefit analyses for the five largest blanket capital projects for which EPE is requesting approval in this case.

- CEP 13-23. Reference EPE's response to CEP 1-14, please explain the primary factors that contributed to the increases reflected in the requested "Test Year Adjusted" levels of Transmission O&M expenses in FERC accounts 560, 561 and 566, when compared to the average level of expenses incurred in each of these accounts during the 2016-2019 period.
- CEP 13-24. Reference EPE's response to CEP 1-17, please provide the Texas retail jurisdiction distribution capital additions for each period requested in CEP 1-17.
- CEP 13-25. Reference EPE's response to CEP 1-18, please provide the SAIDI and SAIFI with and without major storms for EPE's Texas jurisdiction for each period requested in CEP 1-18.
- CEP 13-26. Reference EPE's response to CEP 1-27, please provide the natural gas price forecast used for the referenced 2016 retirement studies along with the forecasted natural gas prices used for the referenced 2018 and 2021 updated retirement analyses.
- CEP 13-27. Reference EPE's response to CEP 1-27, please provide the generation (MWh) forecast used for each year of the referenced 2016, 2018 and 2021 retirement studies for each of the units evaluated.
- CEP 13-28. Reference EPE's response to CEP 1-27, please provide the forecasted O&M reduction for each unit as reflected in each year of the referenced 2016, 2018 and 2021 retirement studies.
- CEP 13-29. Reference EPE's response to CEP 1-27, please provide the referenced 2021 updated retirement analyses as soon as this information is available.