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Received - 2021-09-16 09:06:06 AM
Control Number - 52195
ItemNumber - 180

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

**APPLICATION OF EL PASO § BEFORE THE STATE OFFICE
ELECTRIC COMPANY TO § OF
CHANGE RATES § ADMINISTRATIVE HEARINGS**

**FREEMPORT-MCMORAN, INC.’S SECOND REQUESTS
FOR INFORMATION TO EL PASO ELECTRIC COMPANY**

Freeport-McMoRan, Inc. (“FMI”) requests that you answer and provide information in response to the attached questions under oath. FMI further requests that you answer the questions in the order in which they are asked with as much detail so as to fully present all of the relevant facts.

Instructions

Please answer the attached questions on separate pages and copy the question immediately above the answer to each question. Following each answer, please identify the witness or witnesses who will sponsor each of your answers at the hearing in this PUC Docket No. 52195. These questions are continuing in nature and, should there be a change in circumstances that would modify or change any of your answers, then, in such case, please change or modify such answer and submit such changed answer as a supplement to the original answer within five (5) working days of your discovery that such change or modification is appropriate.

In answering these requests for information, you are requested to furnish such information as is available to you, including information which you are able to obtain by due diligence from your present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on your behalf. To the extent any information responsive to a general question is also responsive to another more specific question, provide the information in response to the more specific request.

To the extent any question calls for you to provide documents, furnish such documents in native format, with all formulas intact.

If you are unable to answer any request fully and completely after exercising due diligence to make inquiry and to secure information, you are to answer such request as fully and completely as you can and to specify the portions which you are unable to answer in such request. In addition to specifying those portions, you are to state with regard to each portion:

- (1) The fact on which you base the contention that you are unable to answer that portion;
- (2) The knowledge, information, and belief you have concerning that portion; and
- (3) The acts done and inquiries made by you in attempting to answer such request.

The singular includes the plural and the plural includes the singular.

Masculine, feminine, or neuter pronouns do not exclude the other genders.

The words “document” and “documents” have the broadest meaning that can be ascribed to them pursuant to the Texas Rules of Civil Procedure. Among other things, the words “document” and “documents” mean the final form and **all drafts and revisions of any kind** of written or graphic matter, original or reproduced copy, however produced or reproduced, of any kind and of every kind, and all copies there from that are different in any way from the original regardless of whether designated “confidential,” “privileged,” or otherwise restricted. Without limiting the generality of the foregoing, the words “document” and “documents” also include information stored or maintained on, or which could be reproduced from, any form of physical or electronic storage or storage device including, without limitation, film, microfilm, computer printout, disk or diskette, magnetic tape, cassette, phonographic disc, videotape, compact disk, DVD, or similar means.

The words “and” and “or” shall be construed conjunctively or disjunctively as necessary to bring within each request all documents which might otherwise be construed as outside its scope.

The words “communication” and “communications” include, without limitation of their generality, both written and oral: statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia. These words include, without limitation of their generality, both communications and statements that are face-to-face and those that are transmitted by any writing or document or by media of any kind. These words also include any communications and statements that are transmitted electronically or wirelessly, through means such as, but not limited to, email or text messages.

The words “identify” and “identification,” when used with respect to a natural person or persons, mean to state the name, address(es) and telephone number(s) of each such person. If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “identification,” when used in reference to a person other than a natural person, mean to set forth its:

- (1) full name or title;
- (2) nature or organization, including the state under which the same was organized or incorporated;
- (3) address and telephone number (with area code prefix); and
- (4) principal line of business.

If any of the foregoing information is not available, state any other available means of identifying such person.

The words “identify” and “describe,” when used in reference to a fact, mean to state not only the fact itself, but also:

- (1) its date, time, and place;
- (2) the name, address, and telephone number of each person with knowledge of the fact;
- (3) whether the act is supported by an oral communication, a document, or other event; and
- (4) any other evidence that supports such fact.

The words “identify” and “identification,” when used in reference to a document, mean to state:

- (1) its date;
- (2) its author;
- (3) its addressee;
- (4) the type of document (e.g., letter, memorandum, receipt, invoice, schedule, report, telegram, chart, photograph, etc.); and
- (5) its present location and identity of its custodian. If any document was, but is no longer, in your possession, custody, or control, or is no longer in existence, explain why.

If any of the foregoing information is not available, state any other available means of identifying such document. If a document is one of a series of pages contained in a book, pamphlet, binder, folder, microfilm (or other storage device), include in your identification of such document(s) any available numerical reference (or other aid) to the pages and line or other portion thereof at which

the information referred to can be found. A true and correct copy of any document may be produced and filed with your Answers hereto in lieu of the above information.

The words “identify” and “describe,” when used with respect to an oral communication, mean:

- (1) to state the substance of each such oral communication;
- (2) to state the exact words used by each person participating in the oral communication;
- (3) to identify each speaker;
- (4) to identify each person present at the making or reception of such oral communication;
- (5) to specify the date, time, and place of each oral communication;
- (6) to identify each person repeating such oral communication;
- (7) to identify every document which records, memorializes, or relates to all or part of such communication; and
- (8) to identify the mode of such communication (e.g., telephone, face-to-face, etc.).

The words “person” and “persons” as used herein, mean all individuals and entities, and shall be deemed to include natural persons, firms, partnerships, associations, organizations, joint ventures, corporations, and any other entities.

The words “relate,” “related,” “relates,” and “relating,” as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

All computer readable data should be provided on CD ROMs, DVDs or flash drives for use on PC-compatible machines. FMI will provide a sufficient number of CDs, DVDs or flash drives if requested by you before time for your response.

If you have any question concerning the attached Questions or any of these instructions, please contact Katherine K. Mudge at (512) 615-1233.

Unless the specific question permits a longer time period, answers to this Request for Information should be served on FMI and filed with the Public Utility Commission of Texas within twenty (20) working days from your receipt of said request. Service on FMI should be made as follows:

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Respectfully submitted,

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By: 

**ATTORNEYS FOR FREEPORT-
MCMORAN, INC.**

CERTIFICATE OF SERVICE

I certify that a copy of this document was served by electronic mail, on all parties of record in this proceeding on September 16, 2021, in accordance with Order No. 2 in this Docket 52195.



Katherine K. Mudge

ADDITIONAL DEFINITIONS

1. The words “EPE,” “Company,” “you,” “your,” and “yours” refer to El Paso Electric Company and any and all of its attorneys, employees, consultants, contractors, or representatives.
2. “PUC” or “Commission” means the Public Utility Commission of Texas.
3. “FMI” means EPE’s customer, Freeport-McMoRan, Inc.

**FREEPORT-MCMORAN, INC.'S SECOND REQUEST FOR INFORMATION
TO EL PASO ELECTRIC COMPANY**

- FM 2-1** Please provide EPE's projected and actual hourly load profiles for its solar projects in 2019 and 2020, in Excel format with all formulas and links intact.
- FM 2-2** Referring to the Direct Testimony of J. Kyle Olson at 26, please provide the O&M expense for each unit identified in Table JKO-6. Please provide in Excel format with all formulas and links intact.
- FM 2-3** Referring to EPE's Response to CEP 1-13, please provide the cost/benefit analysis for the capital expenditures identified in Attachments 2 and 3.
- FM 2-4** Referring to EPE's Response to CEP 1-22, please provide Attachment 1 in Excel format with all formulas and links intact.
- FM 2-5** Referring to EPE's Response to CEP 1-26, Schedule H-5-2b:
- a. Please explain in detail the benefit analysis used by EPE for the capital costs. For projects where EPE did not perform a benefit analysis, please explain why not.
 - b. Please provide the detailed benefit analyses for the projects identified by EPE where a benefit analysis was performed. Please provide in Excel format with all formulas and links intact.
- FM 2-6** Referring to EPE's Response to CEP 6-1, please provide the following in Excel format with all formulas and links intact:
- a. Attachment 1, pages 1, 25, and 35.
 - b. Attachment 2
 - c. Attachment 3
 - d. Attachment 4
- Please provide all supporting data for the pivot tables where applicable.
- FM 2-7** Referring to EPE's Response to CEP 6-3, please provide Attachments 1 and 2 in Excel format with all formulas and links intact.
- FM 2-8** Referring to EPE's Response to CEP 6-11, please provide Attachment 1 in Excel format with all formulas and links intact.
- FM 2-9** Referring to EPE's Response to CEP 7-15, please provide a detailed description of the changes in "some of the life and net salvage parameters" by FERC account. Please explain why the changes were made.

- FM 2-10** Referring to EPE’s Response to CEP 9-17, please explain in detail why EPE changed its allocation of peaking generation facilities and production O&M expenses.
- FM 2-11** Referring to EPE’s Response to VS 1-9, please provide Attachment 1 in Excel format with all formulas and links intact.
- FM 2-12** Referring to the sheet “Rate Class Allocation” within EPE’s Regulatory Case Working Model, explain each of the following items and how they are related to either production plant or peaking plant:
- a. 303000-COPP-MISC INTANG PLT: PLANT.
 - b. 303000-NWJT-MISC INTANG PLT: PLANT.
 - c. 303000-NWU5-MISC INTANG PLT: PLANT.
 - d. 920000-COPP-A&G SALARIES.
 - e. 920000-COPP-A&G SALARIES-LABOR.
 - f. 920000-MPSCO-A&G SALARIES-LABOR.
 - g. 920000-MPSU1-A&G SALARIES-LABOR.
 - h. 920000-MPSU2-A&G SALARIES-LABOR.
 - i. 920000-MPSU3-A&G SALARIES-LABOR.
 - j. 920000-MPSU4-A&G SALARIES-LABOR.
 - k. 921000-COPP-OFFICE SUPPLIES & EXP.
 - l. 921000-MPSCO-OFFICE SUPPLIES & EXP.
 - m. 921000-MPSU1-OFFICE SUPPLIES & EXP.
 - n. 921000-MPSU2-OFFICE SUPPLIES & EXP.
 - o. 921000-MPSU3-OFFICE SUPPLIES & EXP.
 - p. 921000-MPSU4-OFFICE SUPPLIES & EXP.
 - q. 925000-COPP-INJURIES AND DAMAGES.
 - r. 925000-MPSCO-INJURIES AND DAMAGES.
 - s. 925000-MPSJT-INJURIES AND DAMAGES.
 - t. 925000-MPSU1-INJURIES AND DAMAGES.
 - u. 925000-MPSU2-INJURIES AND DAMAGES.
 - v. 925000-MPSU3-INJURIES AND DAMAGES.

- w. 925000-MPSU4-INJURIES AND DAMAGES.
- x. 925000-RGU9-INJURIES AND DAMAGES.
- y. 926000-COPP-PENSIONS & BEN.
- z. 926000-MPSCO-PENSIONS & BEN.
- aa. 926000-MPSJT-PENSIONS & BEN.
- bb. 926000-MPSU1-PENSIONS & BEN.
- cc. 926000-MPSU2-PENSIONS & BEN.
- dd. 926000-MPSU3-PENSIONS & BEN.
- ee. 926000-MPSU4-PENSIONS & BEN.
- ff. 926000-RGU9-PENSIONS & BEN.
- gg. 931000-MPSCO-RENTS.
- hh. 935000-MPSCO-MAINT OF GEN PLT.
- ii. 935000-MPSCO-MAINT OF GEN PLT-LABOR.

FM 2-13 Explain how EPE determined the portion of Administration and General expenses that are related to transmission and distribution.

FM 2-14 Referring to the sheet “Rate Class Allocation” within EPE’s Regulatory Case Working Model, explain the specific nature each of the expenses listed below.

- a. 555000 - ADJ ONLY-NON RECON – TX.
- b. 555000-PROD-PURCHASED POWER.
- c. 555000-TEXAS-PURCHASED POWER.

FM 2-15 Referring to the sheet “Rate Class Allocation” within EPE’s Regulatory Case Working Model, identify the specific generating units associated with Other Production Plant.

FM 2-16 State the rationale for classifying the expenses charged to each of the following FERC Accounts to Energy and whether the Public Utility Commission of Texas has previously approved said classification in a prior litigated rate case:

- a. 502.
- b. 505.
- c. 513.
- d. 514.

- e. 519.
- f. 520.
- g. 523.
- h. 530.
- i. 531.
- j. 532.

FM 2-17 Provide workpapers showing the derivation of the MAJ_ACCT-REPS allocation factors.

FM 2-18 State the specific roles and responsibilities of the personnel that provide Major Account Representative services and how EPE determined the expenses associated with Major Account Representatives.

FM 2-19 State whether all of EPE's generating units and the generation acquired through purchased power agreements are controlled and dispatched as an integrated system. If that is not the case, explain how EPE controls and dispatches each generating resource.