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**APPLICATION OF EL PASO  
ELECTRIC COMPANY TO  
CHANGE RATES**

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§

**BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS**

**CONFIDENTIALITY STATEMENT UNDER  
SECTION 4 OF THE PROTECTIVE ORDER**

The undersigned attorney for El Paso Electric Company (EPE) submits this statement under section 4 of the Protective Order entered in this case. Materials provided in Attachment 7 to FMI 2-3 to Freeport McMoran, Inc.'s second set of discovery are exempt from public disclosure pursuant to Texas Government Code § 418.181. Counsel for EPE has reviewed the material and can state in good faith that the attachment contains information of particular vulnerabilities of critical infrastructure to an act of terrorism.

Respectfully submitted,

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**ATTORNEYS FOR EL PASO ELECTRIC  
COMPANY**

### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this document was served by email on all parties of record on October 7, 2021.

  
Laura B. Kennedy