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

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

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§**

**PUBLIC UTILITY COMMISSION

OF TEXAS**

DIRECT RATE CASE EXPENSE TESTIMONY AND EXHIBITS

OF

JAMES Z. BRAZELL

ON BEHALF OF

THE CITY OF EL PASO

October 22, 2021

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

APPLICATION OF EL PASO ELECTRIC COMPANY TO CHANGE RATES	§ § §	PUBLIC UTILITY COMMISSION OF TEXAS
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DIRECT RATE CASE EXPENSE TESTIMONY OF JAMES Z. BRAZELL

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EXHIBITS

- Exhibit JZB-RCE 1 James Z Brazell Resume and Bio;
- Exhibit JZB-RCE 2. Declaration of Norman Gordon;
- Exhibit JZB-RCE 3. Summary of and Invoices and Source Documents for City of El Paso Rate Case Expenses for Participation in Docket Nos. 52195; and
- Exhibit JZB-RCE 4. Summary of and Invoices and Source Documents for City of El Paso Rate Case Expenses for Participation in Docket Nos. 52040, 51348, 50058, 49395, and 49148.

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DIRECT RATE CASE EXPENSE TESTIMONY OF JAMES Z. BRAZELL

I. INTRODUCTION

Q. WHAT IS YOUR NAME, BUSINESS ADDRESS, AND CONTACT INFORMATION?

A. My name is James Z. Brazell, my address is PO Box 2, Taylor, Texas 76574, my e-Mail address is jbrazell@brazelllaw.com, and my telephone number is 512-658-0830.

Q. BY WHOM ARE YOU EMPLOYED?

A. I am self employed as a solo practitioner in the Law Office of James Z. Brazell.

Q. WHAT IS YOUR RELEVANT EDUCATION AND EXPERIENCE?

A. As set out in my Resume and Bio, attached to this testimony, I have practiced law since 1981 and have focused on public utility law and administrative law since February 1989. As indicated in my Resume and Bio, I have significant experience in rate and other administrative and regulatory matters at the Public Utility Commission of Texas and the Railroad Commission of Texas.

1 **Q. HAVE YOU TESTIFIED ON RATE CASE EXPENSES BEFORE?**

2 A. Yes. I have submitted prefiled testimony and testified on rate case expenses a number of
3 times for different clients, including the City of El Paso. Please see my attached Resume
4 and Bio.

5
6 **Q. ARE YOU FAMILIAR WITH THE RATES CHARGED BY ATTORNEYS AND**
7 **CONSULTANTS, WITH THE STANDARDS OF WORK REQUIRED TO**
8 **ADDRESS RATEMAKING ISSUES, AND WITH THE COSTS CHARGED FOR**
9 **WORK THAT COMPLIES WITH THOSE STANDARDS.**

10 A. Yes. As a result of my work in the field, including my work in other rate matters and my
11 submission of and review of other rate case expense testimony, I am familiar with the rates,
12 standards of work, and costs charged in such proceedings.

13
14 **Q. ON WHOSE BEHALF AND ON WHAT ISSUES ARE YOU TESTIFYING?**

15 A. I am testifying on behalf of the City of El Paso (“City”) on rate case expenses incurred in
16 this rate case (PUC Docket No. 52195) and on rate case expenses incurred by the City in
17 five additional proceedings filed by El Paso Electric, including an El Paso application for
18 advanced metering systems and costs, two requests for distribution cost recover factors
19 (DCRF); a request for fuel reconciliation; and a request for a transmission cost recover factor
20 (“TCRF”).

21
22 **Q. PLEASE LIST THE FIVE ADDITIONAL DOCKETS YOU MENTIONED?**

1 A. The five dockets are:

- 2 1. Docket No. 52040, *Application of El Paso Electric Company for an Advanced*
3 *Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard*
4 *Metering Service Fees* (abated);
- 5 2. Docket No. 51348, *Application of El Paso Electric Company to Amend its*
6 *Distribution Cost Recovery Factor* (May 24, 2021);
- 7 3. Docket No. 50058, *Application of El Paso Electric Company to Reconcile Fuel*
8 *Costs* (Apr 7, 2021);
- 9 4. Docket No. 49348, *Application of El Paso Electric Company for a Distribution*
10 *Cost Recovery Factor* (Sep 27, 2019); and
- 11 5. Docket No. 49148, *Application of El Paso Electric Company for a*
12 *Transmission Cost Recovery Factor* (Dec 16, 2019).

13
14 **Q. WHAT RATE CASE EXPENSE AMOUNTS DOES THE CITY SEEK IN THIS**
15 **FILING FOR ITS PARTICIPATION IN THIS DOCKET AND IN THE FIVE**
16 **ADDITIONAL DOCKETS?**

17 A. The City seeks reimbursement of rate case expenses of \$291,028.57, which includes the
18 City's request for reimbursement of \$202,613.60 for the City's participation in this docket,
19 Docket No. 52195, through September 30, 2021, and \$88,414.97 for the City's participation
20 in the five additional dockets listed above. The City's request for reimbursement for its
21 participation in this case is submitted in two pools or tranches: 1) actual rate case expenses
22 incurred through September 30, 2021, before the October 22, 2021 testimony filing
23 deadline; and 2) actual rate case expenses incurred after September 30, 2021, expenses that
24 cannot be included in this October 22nd testimony, but expenses that nevertheless will be
25 incurred by the City for its participation in Docket No. 52195 through the completion of the

case.

Q. WHAT ARE THE COMPONENTS OF THE RATE CASE EXPENSES THE CITY SEEKS FOR ITS PARTICIPATION IN DOCKET NO. 52195?

A. The following tables summarize the components of the City's request for Docket No. 52195:

Table 1

(a) Docket No.	(b) Type of Case	(c) City's Legal Fees & Expenses	(d) City's Consultant Fees & Expenses	(e) City's RCE Request
52195 – Oct 22 Testimony filing	This Rate Case (costs through Sep 30, 2021)	\$49,350.00	\$153,263.60	\$202,613.60
52195 - Supplemental filings	This Rate Case (cost to complete after Sep 30, 2021)	To be supplemented	To be supplemented	To be supplemented
			Total this filing	\$202,613.60

Q. WHAT ARE THE COMPONENTS OF THE RATE CASE EXPENSES THE CITY SEEKS FOR ITS PARTICIPATION IN THE FIVE ADDITIONAL DOCKETS?

A. The City seeks reimbursement of the amounts for the five dockets as shown in the following, second table, Table 2:

Table 2

(a)	(b)	(c)	(d)	(e)
------------	------------	------------	------------	------------

Docket No.	Type of Case	City's Legal Fees & Expenses	City's Consultant Fees & Expenses	City's RCE Request
52040	AMS	\$5,635.00	0.00	\$5,635.00
51348	DCRF	\$5,985.00	\$9,000.00	\$14,985.00
50058	Fuel Reconciliation	\$9,433.81	\$22,440.00	\$31,873.81
49395	DCRF	\$3,130.40	\$1,188.00	\$4,318.40
49148	TCRF	\$17,264.99	\$14,337.77	\$31,602.76
			Total this filing	\$88,414.97

1

2 **Q. IS THERE AN AGREEMENT FOR THE CITY TO RECOVER ITS RATE CASE**
3 **EXPENSES FROM THE FIVE DOCKETS?**

4 A. I was not a participant, so I do not have personal knowledge, but it is my understanding that
5 there is an agreement with El Paso Electric in four of the five dockets, Docket Nos. 41348,
6 50058, 49395, and 49148, for the City to recover its rate case expenses for its participation
7 in those dockets. It is also my understanding that there are discussions expected to lead to
8 an agreement for the City to recover its rate case expenses for its participation in the fifth
9 docket, Docket No. 52040.

10

11 **Q. DO YOUR TESTIMONY AND YOUR SUPPORTING DOCUMENTS AND**
12 **ATTACHMENTS DEMONSTRATE THAT THE CITY'S REQUESTED RATE**
13 **CASE EXPENSES FOR DOCKET NO. 52195 AND THE FIVE ADDITIONAL**
14 **DOCKETS ARE JUST AND REASONABLE AND SHOULD BE APPROVED?**

1 A. Yes. As I discuss below, the City's requested rate case expenses for its participation in
2 Docket No. 52195 and the five additional dockets are reasonable and necessary, meet the
3 requirements of applicable statutes and rules, and should be approved.

4
5 **Q. ARE YOU TESTIFYING ON THE MERITS OF RATE CASE EXPENSES**
6 **REQUESTED BY EL PASO ELECTRIC?**

7 A. No. My testimony is limited to providing support for the rate case expenses sought by the
8 City of El Paso. I have not reviewed and do not address the rate case expenses requested by
9 El Paso Electric Company ("EPE").

10
11 **Q. WHAT DOCUMENTS AND ATTACHMENTS HAVE YOU ATTACHED TO YOUR**
12 **TESTIMONY?**

13 A. I have attached the following documents and attachments to my testimony:

14 Exhibit JZB-RCE 1 James Z Brazell Resume and Bio;

15 Exhibit JZB-RCE 2. Declaration of Norman Gordon;

16 Exhibit JZB-RCE 3. Summary of and Invoices and Source Documents for City of El
17 Paso Rate Case Expenses for Participation in Docket No. 52195;
18 and

19 Exhibit JZB-RCE 4. Summary of and Invoices and Source Documents for City of El
20 Paso Rate Case Expenses for Participation in Docket Nos.
21 52040, 51348, 50058, 49395, and 49148.

22
23 **II. STANDARDS**

24 **Q. WHAT ARE THE LEGAL STANDARDS YOU APPLIED IN YOUR REVIEW OF**

1 **THE CITY’S RATE CASE EXPENSES?**

2 A. The legal standards are those set out in PURA Section 33.023 and PUC Subst. R. 25.245(b)
3 and (c) and any applicable Commission decisions in recent cases.

5 **Q. PLEASE DESCRIBE AND EXPLAIN THE LEGAL STANDARDS OF PURA 33.023.**

6 A. The legal standards are those set out in PURA Section 33.023 provides as follows:

7 Sec. 33.023. RATEMAKING PROCEEDINGS. (a) The governing body of a
8 municipality participating in or conducting a ratemaking proceeding may engage rate
9 consultants, accountants, auditors, attorneys, and engineers to:

10 (1) conduct investigations, present evidence, and advise and represent the
11 governing body; and

12 (2) assist the governing body with litigation in an electric utility ratemaking
13 proceeding before the governing body, a regulatory authority, or a court.

14 (b) The electric utility in the ratemaking proceeding shall reimburse the governing body
15 of the municipality for the reasonable cost of the services of a person engaged under
16 Subsection (a) to the extent the applicable regulatory authority determines is reasonable.
17

18 **Q. DO THE CITY’S RATE CASE EXPENSES MEET THE STANDARDS OF PURA**
19 **33.023?**

20 A. Yes. As discussed below, the City’s requested rate case expenses meet the standards set out
21 in PURA Section 33.023. The City’s requested rate case expenses, which are well
22 documented, accurate, true and correct, and reasonable and necessary, all meet the standard
23 of PURA Section 33.023. The requested rate case expenses were incurred or will be
24 incurred ‘by the City for engaging rate consultants, accountants, auditors, attorneys, and
25 engineers to conduct investigations, present evidence, and advise and represent the City and

1 assist the City in litigation in an electric utility ratemaking proceeding before the City and/or
2 the Commission. Accordingly, under Section 33.023, the City meets the requirements for
3 reimbursement of these expenses.

4
5 **Q. WHAT ARE THE LEGAL STANDARDS IN PUC SUBST. R. 25.245(b) AND (c)?**

6 A. PUC Subst. R. 25.245(b) provides a listing of the information the City is required to submit
7 to support its requests. PUC Subst. R. 25.245(b) provides as follows:

8 **(b) Requirements for claiming recovery of or reimbursement for rate-case expenses.**

9 A utility or municipality requesting recovery of or reimbursement for its rate-case
10 expenses shall have the burden to prove the reasonableness of such rate-case expenses
11 by a preponderance of the evidence. A utility or municipality seeking recovery of or
12 reimbursement for rate-case expenses shall file sufficient information that details and
13 itemizes all rate-case expenses, including, but not limited to, evidence verified by
14 testimony or affidavit, showing:

- 15 (1) the nature, extent, and difficulty of the work done by the attorney or other
16 professional in the rate case;
- 17 (2) the time and labor required and expended by the attorney or other
18 professional;
- 19 (3) the fees or other consideration paid to the attorney or other professional for
20 the services rendered;
- 21 (4) the expenses incurred for lodging, meals and beverages, transportation, or
22 other services or materials;
- 23 (5) the nature and scope of the rate case, including:
- 24 (A) the size of the utility and number and type of consumers served;
- 25 (B) the amount of money or value of property or interest at stake;
- 26 (C) the novelty or complexity of the issues addressed;
- 27 (D) the amount and complexity of discovery;
- 28 (E) the occurrence and length of a hearing; and

(6) the specific issue or issues in the rate case and the amount of rate-case expenses reasonably associated with each issue.

PUC Subst. R. 25.245(c) provides the substantive standards required for reimbursement.

PUC Subst. R. 25.245(c) provides as follows:

(c) **Criteria for review and determination of reasonableness.** In determining the reasonableness of the rate-case expenses, the presiding officer shall consider the relevant factors listed in subsection (b) of this section and any other factor shown to be relevant to the specific case. The presiding officer shall decide whether and the extent to which the evidence shows that:

(1) the fees paid to, tasks performed by, or time spent on a task by an attorney or other professional were extreme or excessive;

(2) the expenses incurred for lodging, meals and beverages, transportation, or other services or materials were extreme or excessive;

(3) there was duplication of services or testimony;

(4) the utility's or municipality's proposal on an issue in the rate case had no reasonable basis in law, policy, or fact and was not warranted by any reasonable argument for the extension, modification, or reversal of commission precedent;

(5) rate-case expenses as a whole were disproportionate, excessive, or unwarranted in relation to the nature and scope of the rate case addressed by the evidence pursuant to subsection (b)(5) of this section; or

(6) the utility or municipality failed to comply with the requirements for providing sufficient information pursuant to subsection (b) of this section.

Q. DO THE CITY'S EXPENSES MEET THE STANDARDS OF PUC SUBST. R. 25.245(b) AND (c)?

A. Yes. As discussed below, the City's expenses meet the requirements of PUC Subst. R.

1 25.245(b) and (c). The City's rate-case expenses are reasonable and necessary, appropriate
2 for the scope, difficulty, novelty, and complexity of the issues, based on reasonable rates for
3 the work performed and the expertise applied. Moreover, the City's rate-case expenses as
4 a whole are not disproportionate, excessive, or unwarranted in relation to the nature and
5 scope of the rate case addressed by the evidence pursuant to subsection (b)(5) of Rule
6 25.245. There is no duplication.

8 III. CONDUCT OF REVIEW

9 **Q. HOW DID YOU CONDUCT YOUR REVIEW OF THE CITY'S RATE CASE**
10 **EXPENSES?**

11 A. I conducted my review in distinct but overlapping phases: First, I reviewed the application
12 and the proceedings in Docket No. 52195 to obtain an understanding and knowledge of the
13 scope and difficulty of the docket. I focused on the Company's application, its Executive
14 Summary, and the testimony of Mr. Schichtl. This gave me a basis for understanding the
15 scope and difficulty of the work the City was required to bring to the proceeding. Next, I
16 reviewed earlier and more recent rate case expense filings in other dockets. This gave me a
17 basis for recognizing the Commission's current perspective and requirements on the issues
18 required to be addressed. Next, I discussed the work with Norman Gordon and Manuel
19 Arambula to gain an understanding on an anecdotal basis of the scope, breadth, difficulty,
20 complexity, and novelty of issues they encountered in conducting their intervention in the
21 docket. Next, I reviewed the discovery filed in the case, focusing on the number and subject
22 of the RFIs asked by the City. Next, I scanned the draft testimony of the City's witnesses

1 or discussed their draft testimony with the witnesses and determined the extent to which
2 their work in this docket was comparable to their work in other dockets in which their
3 charges were approved and to the work of other experts whose work was approved in other
4 similar dockets. Next, I reviewed the City's invoices and other source documents for the
5 legal and expert/consultant work performed on behalf of the City in this proceeding. Finally,
6 I drew my conclusions and drafted the text of my testimony.

7
8 **Q. WHAT DOCUMENTS AND MATERIAL WERE YOU UNABLE TO REVIEW?**

9 A. Because my rate case expense testimony and the testimonies of the other City experts were
10 filed on the same October 22, 2021, filing date and the experts were preparing their
11 testimonies up to the filing deadline, I was unable to review the final versions of the City's
12 witnesses' testimonies. I was, however, able to discuss their testimonies with them and
13 explore the extent to which their testimonies applied similar analysis and standards of
14 reasonableness and efficiency as their testimonies filed in other dockets. And, because the
15 October 22nd filing deadline occurred relatively early in the procedural schedule, I was, as
16 would be expected, unable to review the witnesses' testimony or other work at the hearing,
17 their work on objections to testimony, their work on briefs, reply briefs, exceptions, or
18 replies, or their work on motions for rehearing and responses.

19
20 **Q. DID YOUR REVIEW FOCUS ON DETERMINING THE EXTENT TO WHICH**
21 **THE RATE CASE EXPENSES MET THE STANDARDS OF PUC SUBST. R.**
22 **25.245(b) and (c)?**

1 A. Yes. I reviewed the Company's rate filing, focusing (in order to avoid duplication of review)
2 on the Statement of Intent (particularly the portion that summarized the basis of the rate
3 filing and listed the witnesses and the subjects of their testimonies), portion of Mr. Schichtl's
4 testimony that summarized the Company's rate filing and listed its witnesses and described
5 their testimonies, and the summary schedules in the rate filing. I also scanned (to avoid
6 duplication) the City's discovery requests and the Company's responses. I found that the
7 Company's filing to be of typical scope, volume, amount, novelty, difficulty, and
8 complexity, except for certain cost allocation and rate design and accumulated tax issues
9 that were novel, more difficult, and more complex.

10
11 I collected and reviewed the invoices provided by the City. I reviewed the time spent, rates
12 charges for the work or expenses reviewed. I found the City's documentation to be accurate,
13 appropriately descriptive, and in order. I found that the City's time, labor, fees, and expenses
14 were commensurate with the difficulty, complexity, novelty, of the rate filing. I found the
15 attorneys' fees and expenses to be reasonable and necessary. I also found the consultants'
16 an experts' fees and expenses to be reasonable and necessary for a case of breadth scope
17 and difficulty of this case.

18
19 **Q. WHAT PERIOD DID YOUR REVIEW COVER?**

20 A. My October 22, 2021, testimony covered fees and expenses for lawyers, legal personnel,
21 experts, and consultants through September 30, 2021. This date reflects the date for which
22 documentation was available. Pursuant to the experts' engagement agreements with the

1 City, invoices for rate case expenses are submitted once a month for the preceding month.
2 The invoices that were submitted to the City in October covered work only up to that
3 September 30th date. Invoices had not, and still have not, been submitted for rate case
4 expenses in October 2021 but will be submitted to the City on or by November 1, 2021,
5 after the October 22nd testimony has been filed.
6

7 **Q. DID YOUR REVIEW INCLUDE THE ENTIRETY OF THE FEES AND EXPENSES**
8 **THAT WILL BE PAID BY THE CITY FOR ATTORNEYS AND CONSULTANTS**
9 **IN THIS PROCEEDING?**

10 A. No. My October 22nd testimony did not include the entirety, most of, or even the bulk of
11 the actual fees and expenses the City will incur by participating in this rate case. Again, my
12 October 22nd testimony includes review of rate case expenses for the City's participation in
13 this proceeding through September 30th. Thus, as indicated in the procedural schedule
14 adopted in SOAH Order No. 2 (Table 3 below), at the time of the filing of my testimony,
15 most of the procedural schedule remained: discovery had not been concluded, the hearing
16 had not been conducted, briefs had not been filed, a PFD had not been issued, exceptions
17 had not been filed, an order had not been rendered, and motions for rehearing had not been
18 submitted or ruled on. Because my testimony had to be filed on the October 22, 2021,
19 intervenor testimony filing deadline along with, and by the same deadline, as the testimonies
20 of the City's other witnesses, my testimony was filed before a substantial portion of the
21 work required to complete this case was performed, invoiced, and paid by the City.
22

1 **Q. DOES THE OCTOBER 22ND FILING DEADLINE CREATE A TIMING**
2 **DISCONNECT THAT RESULTS FROM THE REQUIREMENT TO FILE RATE**
3 **CASE EXPENSE TESTIMONY BEFORE A SUBSTANTIAL PORTION OF THE**
4 **RATE CASE EXPENSES HAVE BEEN INCURRED?**

5 A. Yes. Because the rate case expense testimony must be filed by the October 22nd intervenor
6 testimony filing deadline and because, as indicated in the procedural schedule, the October
7 22nd deadline occurs early in procedural schedule, the rate case expenses submitted in the
8 October 22nd rate case expense testimony can only include a portion of the total actual
9 expenses that will incurred by the City in its participation through the conclusion of the case.
10 The October 22nd testimony will not and cannot include review of expenses for the
11 remaining work left to be done to complete the case, like drafting and filing direct and cross
12 rebuttal testimony, objecting to EPE testimony, attending and testifying at the hearing,
13 submitting briefs and argument, reviewing the proposal for decision, preparing and filing
14 exceptions and replies, making appearances at oral argument, participating in open meetings
15 and reviewing the final order, submitting other filings for the open meetings, and submitting
16 potential motions for rehearing. The testimony also will not and cannot include any
17 expenses for appeal which will occur after the completion of the case. If not addressed, this
18 “disconnect” between the timing of the filing of the rate case expense testimony on October
19 22nd and the incurrence of a significant part of the City’s actual rate case expenses for
20 participating in this docket could result in a denial of the City’s right for reimbursement of
21 its rate case expenses, as contemplated in PURA Section 33.023.

1
2

Table 3
PROCEDURAL SCHEDULE

EVENT	DATE
Filing date	June 1, 2021
Intervention deadline	September 15, 2021
Deadline for serving written discovery on EPE direct case	October 13, 2021 (Wednesday)
<ul style="list-style-type: none"> • Intervenors' direct testimony • Objections to EPE's direct testimony 	October 22, 2021 (Friday)
<ul style="list-style-type: none"> • Staff's direct testimony • Objections to Intervenors' direct testimony • Replies to objections to EPE's direct testimony 	October 29, 2021 (Friday)
<ul style="list-style-type: none"> • Replies to objections to Intervenors' direct testimony • Objections to Staff's direct testimony 	November 5, 2021 (Friday)
<ul style="list-style-type: none"> • Effective date for new rates pursuant to relate back provision of new PURA Section 36.211. 	November 3, 2021 (Wednesday)
<ul style="list-style-type: none"> • Cross-rebuttal testimony (Staff and Intervenors) • EPE's rebuttal testimony • Deadline for serving written discovery on Staff and Intervenor direct testimony • Replies to objections to Staffs direct 	November 19, 2021 (Friday)

testimony	
• Objections to cross-rebuttal and EPE rebuttal testimony	December 1, 2021
• Deadline for serving discovery on cross-rebuttal and EPE's rebuttal testimony, and deadline for all depositions • Replies to objections to cross-rebuttal and EPE rebuttal testimony	December 15, 2021
185th Day	December 3, 2021
Prehearing Conference (via Zoom)	January 5, 2022 (Wednesday)
Hearing on the Merits (via Zoom)	January 10 – 19, 2022
Post hearing brief	February 4, 2022
Reply brief	February 18, 2022

Q. HOW HAS THE COMMISSION HANDLED THIS DISCONNECT BETWEEN THE TIMING OF THE FILING OF RATE CASE EXPENSE TESTIMONY AND THE INCURRENCE OF ACTUAL RATE CASE EXPENSES AFTER THE TESTIMONY FILING DEADLINE IN THE PAST AND HOW DOES THE COMMISSION HANDLE THEM AT THIS TIME?

A. In the past the Commission has managed this disconnect in the timing of the filing of rate case expense testimony and the incurrence of rate case expenses after the filing of testimony by: a) permitting cities to submit and seek approval of estimates of future expenses expected to be required to complete the case; b) severing the rate case expense issues into a separate, subsequent proceeding; or c) permitting submission of updated rate case expense support as

1 the docket progresses. More recently, the Commission has backed away from relying on
2 estimates and ordering severance and has required rate case expenses to be reviewed and
3 decided in the rate case, itself. This shift in policy makes it very important for the
4 Commission to permit the submission of updates after the testimony filing to ensure the
5 City's right to receive full compensation under Section 33.023 is to remain intact.

6
7 **Q. HOW DO YOU RECOMMEND THAT THIS TIMING DISCONNECT BE**
8 **HANDLED IN THIS MATTER?**

9 A. I recommend that this timing disconnect be addressed in this case by permitting the City to
10 submit supplemental RCE filings as the case progresses. These supplemental submissions
11 could be made once a month or on particular dates certain as the case progresses. Focused
12 discovery could be allowed and discretely limited hearings could be convened on these
13 supplemental filings either as they are demanded or at the end of the case. I do not
14 recommend reliance on estimates or severance as my primary recommendation, but
15 recommend those options only as back up options if supplementation is rejected. While, as
16 I discuss below, I have included "estimates" from the attorneys and experts and consultants
17 in this filing, I have not done so to prove up estimated expenses for reimbursement, but have
18 included them to provide context and to demonstrate that there will be substantial additional
19 actual expenses before the case is concluded that will need to be submitted in supplements.
20 And, while I recognize that in its rate filing EPE has referred to the possibility of severing
21 rate case expenses, I think, under current practice, severance is not a likely option. I
22 recommend that the Commission address the timing issue by permitting the City to submit

1 supplemental updates of actual expenses incurred as the case progresses.

2
3 **Q. IS SUPPLEMENTATION POSSIBLE WITHIN THE PROCEDURAL CONTEXT**
4 **OF THIS PROCEEDING?**

5 A. Yes. As noted, the procedures needed to accommodate a series of supplements can be
6 crafted by the ALJ and the parties as the case progresses. As mentioned, monthly deadlines
7 or deadlines on dates certain could be approved for supplemental submissions by the City.
8 The ALJs and/or the Commission could also adopt deadlines for discovery and any
9 responsive filings by the parties. The ALJs and/or the Commission could also authorize
10 expedited discovery and conduct Zoom prehearings or mini-hearings if discovery or a
11 hearing is requested or demanded by any party. Alternatively, the Commission could hold
12 an abbreviated hearing before the Commission at the end of the case at the open meeting if
13 needed or demanded.

14
15 **Q. YOU MENTIONED THAT YOU HAVE INCLUDED “ESTIMATED CHARGES”**
16 **PROVIDED BY THE EXPERTS AND CONSULTANTS TO COMPLETE BUT**
17 **THAT THE CITY IS NOT REQUESTING REIMBURSEMENT OF THE**
18 **ESTIMATES. PLEASE EXPLAIN.**

19 A. As discussed, I have included attorneys’ and expert/consultant “estimates” in Tables 4 and
20 6. However, I have not included these estimates to prove up or quantify a request for
21 reimbursement of estimates. Consistent with my recommendation to rely on supplements,
22 not estimates, to establish the City’s rate case expenses, the estimates are not provided to

1 support reimbursement of estimates, *per se*, but are provided for context and to demonstrate
2 that there will be substantial additional actual rate case expenses incurred after the
3 September 30th cutoff date that were not possible to include in the October 22nd rate case
4 expense testimony. As the procedural schedule indicates, a significant portion of the work
5 in this case, if not the greater share, still remains to be done after the October 22nd filing
6 deadline. The estimates provide evidentiary support that supplementation of actual
7 expenses is required as the case progresses if the City is to be permitted to recover the
8 remainder of its actual fees and expenses for its participation in Docket No. 52195, as
9 contemplated by PURA Section 33.023.

10
11 **Q. IS SUPPLEMENTATION REQUIRED FOR THE ADDITIONAL FIVE DOCKETS,**
12 **DOCKET NO. 52040, 51348, 50058, 49395, AND 49148?**

13 A. No. The rate case expenses for the five dockets have all been incurred. The dockets have
14 concluded. The City will not continue to incur rate case expenses for these dockets after the
15 October 22nd testimony filing deadline.

16
17 **IV. ATTORNEYS' FEES AND EXPENSES.**

18 **Q. PLEASE SUMMARIZE THE LEGAL FEES AND EXPENSES FOR WHICH THE**
19 **CITY ASKS TO BE REIMBURSED FOR THIS PROCEEDING?**

20 A. The City seeks reimbursement of \$49,350.00 in legal fees and expenses incurred by the City
21 for legal counsel in this proceeding, Docket No. 52195 through September 30, 2021, and
22 seeks \$41,449.20 in actual attorneys' fees and expenses for the City's participation in

Docket Nos. 52040, 51348, 50058, 49395, and 49148.

Q. PLEASE LIST THE ATTORNEYS AND OTHER PERSONNEL ENGAGED BY THE CITY, THEIR RATES, AND THEIR TOTAL FEES AND EXPENSES?

A. The expenses include legal fees and expenses charged by engagement of Norman Gordon in the Law Office of Norman Gordon of El Paso, Molly Mayhall Vandervoort of Austin, and Snapper Carr and Curtis Seidlits at Focused Advocacy in Austin. At the time of this filing, Ms. Vandervoort and Mr. Carr and Mr. Seidlits have not yet billed the City for any work on this case. The following table lists the attorneys the City engaged to assist in its review and analysis of the rate case in this docket (Docket No. 52195). As indicated, the fees and expenses for some of the attorneys were not available at the time of filing of this testimony because invoices had not been submitted to the City:

Table 4

Docket No. 52195 City of El Paso's Attorneys and Legal Personnel Hourly Rates, Fees, and Expenses			
(a) Attorney/Legal Personnel	(b) Hourly Rates	(c) Fees and Expenses Included in Oct 22 Testimony	(d) Est. Fees & Expenses to Complete¹
Norman J. Gordon	\$350	\$49,350.00	\$150,000.00-
Molly Mayhall Vandervoort	\$240	None at time of filing	

¹ As discussed, estimates are not a request for reimbursement, unless request to supplement is denied. Estimates provide context and proof of need for supplementation of actuals as case progresses. Actual expenses to be supplemented, as recommended.

Snapper Carr	\$325 (\$550 if C. Seidlits at same time)	None at time of filing	\$180,000.00 plus \$20,000 expenses
Curtis Seidlits	\$325 (\$550 if S. Carr at same time)	None at time of filing	
Total		\$49,350.00	

1

2 **Q. ARE ESTIMATES OF ATTORNEYS' FEES AND EXPENSES TO COMPLETE**
3 **THE CASE INCLUDED?**

4 **A.** Yes. The City estimates that the City will incur an additional \$150,000.00 to \$180,000.00
5 in legal fees and \$20,000.00 for copies and transcripts in to complete the case. Again,
6 however, as discussed, these estimates are not submitted as a request for compensation of
7 the estimates, unless the City's request to supplement is denied. Rather they are submitted
8 as indications indicative of the magnitude of the futures submission of actual supplemental
9 fees and costs as the case progresses.

10

11 **Q. ARE YOUR FEES AND EXPENSES INCLUDED IN THIS TABULATION OF**
12 **LEGAL FEES AND EXPENSES?**

13 **A.** No. Although I am an attorney, I was engaged in this docket as an expert or consultant on
14 rate case expenses, not engaged as counsel. Accordingly, my fees and expenses are included
15 in the fees for experts and consultants in the next section of my testimony.

16

17 **Q. PLEASE LIST AND IDENTIFY THE ATTORNEYS AND LEGAL PERSONNEL**

ENGAGED BY THE CITY OF EL PASO FOR DOCKET NOS. 52040, 51348, 50058, 49395, AND 49148, STATE THEIR RATES, AND SUMMARIZE THEIR FEES AND EXPENSES.

A. The following table lists the experts and consultants the City engaged to assist in its review and analysis of the issues in Docket Nos. 52040, 51348, 50058, 49395, and 49148:

Table 5

City of El Paso's Attorneys & Legal Personnel Hourly Rates, Fees, and Expenses Docket Nos. 51348, 50058, 49395, and 49148			
(a) Consultants	(b) Hourly Rates	(c) Fees and Expenses Included in Oct 22 Testimony	(d) Est. Fees & Expenses to Complete
Docket No. 52040			
Norman Gordon	\$350 / hr.	\$5,635.00	NA
Docket No. 51348			
Norman Gordon	\$350 / hr.	\$5,985.00	NA
Docket No. 50058			
Norman Gordon	\$350 / hr.	\$8,469.21	NA
El Paso City Attorney	\$42.84; \$49.47; \$55.82; and \$58.50 / hr.	\$964.60	NA
Docket No. 49395			
Norman Gordon	\$350 / hr.	\$3,130.40	NA
Docket No. 49148			

Norman Gordon	\$350 / hr.	\$17,264.99	NA
Total		\$41,449.20	

Q. DID YOU REVIEW AND EVALUATE THE CITY'S REQUESTED RATES, FEES, AND EXPENSES FOR ITS ATTORNEYS AND LEGAL PERSONNEL UNDER THE STANDARDS YOU LISTED ABOVE?

A. Yes. I evaluated the City's requested rates, fees, and expenses under PURA Section 33.023 and PUC Subst. R. 25.245(b) and (c). I will review the fees and expenses that were not available at the time of filing under Rule 25.245(b) and (c) before updating.

Q. DID THE CITY PROVIDE THE DATA REQUIRED BY PUC SUBST. R. 25.245(b) TO SUPPORT ITS REQUESTED ATTORNEYS' AND LEGAL PERSONNEL FEES AND EXPENSES?

A. Yes. The City provided the data required by PUC Subst. R. 25.245(b) and the City's invoices and documentation, including, but not limited to, evidence verified by the City's testimony, statements, affidavits, or declarations, demonstrates that the City's expense meet the substantive standards of PUC Subst. R. 25.245(c).

Q. DID YOU FIND THAT THE CITY'S DATA MADE THE REQUIRED SHOWINGS UNDER PUC SUBST. R. 25.245(b)?

A. Yes. The City's testimony, affidavits, declarations, invoices, receipts, and other source documents (along with documentation in the record provided by the Company's rate filing,

Executive Summary, prefiled testimony, schedules, and workpapers) show:

(1) the nature, extent, and difficulty of the work done by the attorney or other professional in the rate case;

(2) the time and labor required and expended by the attorney or other professional;

(3) the fees or other consideration paid to the attorney or other professional for the services rendered;

(4) the expenses incurred for lodging, meals and beverages, transportation, or other services or materials;

(5) the nature and scope of the rate case, including: (A) the size of the utility and number and type of consumers served; (B) the amount of money or value of property or interest at stake; (C) the novelty or complexity of the issues addressed; (D) the amount and complexity of discovery; (E) the expected occurrence and length of a hearing; and

(6) the specific issue or issues in the rate case and the amount of rate-case expenses reasonably associated with each issue.

Q. FROM THE INFORMATION THE CITY PROVIDED UNDER PUC SUBST. R. 25.245(b), WHAT DO YOU CONCLUDE ABOUT THE ATTORNEYS' FEES AND PERSONNEL FEES AND EXPENSES UNDER THE STANDARDS OF PUC SUBST. R. 25.245(c)?

A. I conclude that the fees and expenses were reasonable and met the standards of PUC Subst. R. 25.245(b) and (c):

(1) The fees paid to, tasks performed by, and time spent on a task by each of the

1 attorneys were not extreme or excessive;

2 (2) The expenses incurred for lodging, meals and beverages, transportation, or other
3 services or materials were not extreme or excessive;

4 (3) There was no duplication of services or testimony; and

5 (4) The City's proposals on issues addressed by the attorneys had a reasonable basis
6 in law, policy, or fact and were warranted by issues considered in other rate cases, the
7 Company's rate filing, the Commission's Preliminary Order, and reasonable arguments for
8 potential extension, modification, or reversal of commission precedent.

9 (5) The attorneys' fees and expenses were not disproportionate, excessive, or
10 unwarranted in relation to the nature and scope of the rate case addressed by the evidence;
11 and

12 (6) The City's attorneys' fees and expenses complied with the requirements for
13 providing sufficient information pursuant to subsection (b) Rule 25.245.
14

15 **Q. ARE THE ATTORNEYS' BILLING RATES AND TIME SPENT ON THE TASKS**
16 **REASONABLE?**

17 A. Yes. The attorneys billing rates and time spent are reasonable. The rates are the attorneys'
18 normal billing rates for services provided to similar clients. The rates are in the range of
19 rates, and at the low end of the range, charged by other attorneys with similar experience
20 and are reasonable for attorneys providing these same or similar regulatory services in
21 Texas. The hourly billing rates are especially reasonable given the attorneys' qualifications
22 and experience. They are appropriate for attorneys with the number of years of years and

1 depth of regulatory experience. The work was necessary and reasonable with respect to
2 both time and amount considering the nature, extent, and difficulty of the work, the
3 originality of the issues presented including the nature of the issues raised and addressed by
4 the City, and the amount of time spent by and charges by others for work of a similar nature
5 in this and other proceedings.

6
7 **Q. DO THE EXPENSES INCLUDE ANY CHARGES THAT ARE EXCLUDABLE?**

8 A. No. The charges are entirely for professional fees and permissible expenses. There are no
9 excludable expenses included in the invoices. There are no charges for excessive or luxury
10 lodging, meals and beverages, transportation, or other services or materials and no charges
11 for work over 12 hours in any single day. There is no duplication of service.

12
13 **Q. DOES THE CITY'S DATA MEET THE CITY'S BURDEN OF PROOF?**

14 A. Yes. The City's data meets the City's burden to show that its attorneys' and legal
15 personnel's fees are reasonable and necessary and satisfy the requirements of PURA Section
16 33.023 and PUC Subst. R. 25.245(b) and (c).

17
18 **V. EXPERTS' AND CONSULTANTS' FEES AND EXPENSES**

19 **Q. DID YOU REVIEW THE FEES AND EXPENSES PAID BY THE CITY FOR ITS**
20 **EXPERTS AND CONSULTANTS?**

21 A. Yes. I reviewed the fees and expenses paid by the City for its experts and consultants in
22 this proceeding.

1
2 **Q. PLEASE LIST AND IDENTIFY THE EXPERTS AND CONSULTANTS ENGAGED**
3 **BY THE CITY OF EL PASO IN DOCKET NO. 52195?**

4 A. The following table lists the experts and consultants (and the issues they address) the City
5 engaged to assist in its review and analysis of the rate case in Docket No. 52195 and to draft
6 and present expert testimony, testify at the hearing, and assist with briefing and other related
7 activity:

8
9 **Table 6**

City of El Paso's Consultants Rates, Fees, and Expenses Docket No. 52195			
(a) Consultants/Issues	(b) Hourly Rates	(c) Fees and Expenses to Sep 30 in Oct 22 Testimony	(d) Est. Fees & Expenses to Complete²
ReSolved Energy Consulting; (Karl Nalepa) Model consolidation of positions; TCRF Additions; Cit's Rate Case Expense;	\$270 / hr.	\$8,982.00	\$22,000.00
CJ Energy Consulting (Clarence Johnson) Class allocation; Rate design.	\$220 / hr.	\$12,804.00	\$24,196.00

² As discussed, estimates are not requests for reimbursement, unless request to supplement is denied. Estimates provide context and proof of need for supplementation of actuals as case progresses. Actual expenses to be supplemented, as recommended.

Dan Lawton (Rate of return; Capital Structure; Jurisdictional allocation; Palo Verde Decommissioning rate impact;)	\$250 / hr.	\$50,600.00	\$15,000.00
Garrett Group; (Mark Garrett) General accounting; Incentive comp; Adjustments; O&M expense General; Rate base; Cash working capital	\$270 / hr.	\$33,737.60	\$42,000.00
Resolve Utility Consulting; (David Garrett) (Depreciation)	\$200 / hr.	\$15,500.00	\$20,000.00
Norwood Energy Consulting (Scott Norwood) Nuclear O&M; Nuclear plant costs; Power plant additions; O&M expense allocation; Newman outages; Fuel costs; California; Palo Verde decommissioning study; Future GCRF/TCRF/DCRF; Newman 6 additions.	\$220 / hr.	\$30,800.00	\$22,000.00

James Z. Brazell (Rate case expenses)	\$350 / hr.	\$840.00	\$25,000.00
Total		\$153,263.60	\$170,196.00

Q. ARE YOUR OWN FEES AND EXPENSES INCLUDED IN THIS PART OF THE EVALUATION?

A. Yes. My fees and expenses are included in this section of my testimony. My expenses through September 30, 2021, \$840.00. However, because I only became engaged on this case in the last few days of September and did most of my work in preparing this testimony in October, that \$840.00 in fees represents only a small portion of my total fees and expenses. My estimated fees and expenses to completion are \$25,000.

Q. PLEASE LIST AND IDENTIFY THE EXPERTS AND CONSULTANTS ENGAGED BY THE CITY OF EL PASO FOR DOCKET NOS. 51348, 50058, 49395, AND 49148, STATE THEIR RATES, AND SUMMARIZE THEIR FEES AND EXPENSES.

A. The following table lists the experts and consultants the City engaged to assist in its review and analysis of the issues in those dockets:

Table 7

City of El Paso's Consultants Rates, Fees, and Expenses Docket Nos. 51348, 50058, 49395, and 49148			
(a) Consultants	(b) Hourly	(c) Actual Fees and	(d) Estimated Fees

	Rates	Expenses to Date	& Expenses to Complete³
Docket No. 52040			
[No consultants]	NA	NA	NA
Docket No. 51348			
Garrett Group (Mark Garrett; Ed Farrar)	\$250 / hr. \$150 / hr	\$9,000.00	NA
Docket No. 50058			
Scott Norwood	\$220 / hr.	\$22,440.00	NA
Docket No. 49395			
ReSolved Energy (Karl Nalepa)	\$270 / hr.	\$1,188.00	NA
Docket No. 49148			
ReSolved Energy (Karl Nalepa)	\$270 / hr.	\$14,337.77	NA
Total		\$46,965.77	

1

2 **Q. DID YOU REVIEW AND EVALUATE THE CITY’S REQUESTED RATES, FEES,**
3 **AND EXPENSES FOR ITS EXPERTS AND CONSULTANTS UNDER THE**
4 **REQUIRED STANDARDS YOU LISTED ABOVE?**

5 A. Yes. I evaluated the City’s requested rates, fees, and expenses under PURA Section 33.023
6 and PUC Subst. R. 25.245(b) and (c). I found that the data provided by the City meets the
7 requirements of PUC Subst. R. 25.245(b). Specifically, the City’s experts’ testimony,

³ No estimates to complete these five additional dockets. Dockets are concluded by negotiation or are in process of being resolved. No additional rate case expenses anticipated, but any additional may be supplemented.

1 affidavits, declarations, invoices, receipts, and other source documentation, including, but
2 not limited to, evidence verified by the City's testimony and affidavit, provides sufficient
3 information to detail and itemize fees paid to, tasks performed by, and time spent on a task
4 by each of the experts and consultants to demonstrate that such fees, tasks, and time spent
5 were not extreme or excessive.

6
7 **Q. DID YOU FIND THAT THE CITY'S DATA MADE THE REQUIRED SHOWINGS**
8 **UNDER PUC SUBST. R. 25.245(b)?**

9 A. Yes. The City's testimony, affidavits, invoices, receipts, and source documents show:

10 (1) the nature, extent, and difficulty of the work done by the experts and consultants
11 in the rate case;

12 (2) the time and labor required and expended by the attorney or other professional;

13 (3) the fees or other consideration paid to the attorney or other professional for the
14 services rendered;

15 (4) the expenses incurred for lodging, meals and beverages, transportation, or other
16 services or materials;

17 (5) the nature and scope of the rate case, including: (A) the size of the utility and
18 number and type of consumers served; (B) the amount of money or value of property or
19 interest at stake; (C) the novelty or complexity of the issues addressed; (D) the amount and
20 complexity of discovery; (E) the expected occurrence and length of a hearing; and

21 (6) the specific issue or issues in the rate case and the amount of rate-case expenses
22 reasonably associated with each issue.

1
2 **Q. FROM THE INFORMATION THE CITY PROVIDED UNDER PUC SUBST. R.**
3 **25.245(b), WHAT DID YOU CONCLUDE ABOUT THE CITY'S EXPERTS AND**
4 **CONSULTANTS' FEES AND EXPENSES UNDER THE STANDARDS OF PUC**
5 **SUBST. R. 25.245(c)?**

6 A. I concluded that the City's expert and consultants' fees and expenses were reasonable and
7 met the standards of PUC Subst. R. 25.245(b) and (c):

8 (1) The fees paid to, tasks performed by, and time spent on a task by each of the
9 attorneys were not extreme or excessive;

10 (2) The expenses incurred for lodging, meals and beverages, transportation, or other
11 services or materials were not extreme or excessive;

12 (3) There was no duplication of services or testimony; and

13 (4) The City's proposals on issues addressed by the attorneys had a reasonable basis
14 in law, policy, or fact and were warranted by issues considered in other rate cases, the
15 Company's rate filing, the Commission's Preliminary Order, and reasonable arguments for
16 potential extension, modification, or reversal of commission precedent.

17 (5) The City's expert and consultant fees and expenses were not
18 disproportionate, excessive, or unwarranted in relation to the nature and scope of the rate
19 case addressed by the evidence; and

20 (6) The City's expert and consultants' fees and expenses complied with the
21 requirements for providing sufficient information pursuant to subsection (b) Rule 25.245.
22

1 **Q. ARE THE BILLING RATES AND TIME SPENT ON THE TASKS REASONABLE?**

2 A. Yes. The billing rate are reasonable. The rates are the consultants' normal billing rate for
3 services provided to similar clients. The rates are in the range of rates charged by other
4 consultants with similar experience and are reasonable for consultants providing these same
5 or similar regulatory services in Texas. The hourly billing rates are especially reasonable
6 given the experts' qualifications and experience. They are appropriate for experts with the
7 number of years of years and depth of regulatory experience. The work was necessary and
8 reasonable with respect to both time and amount considering the nature, extent, and
9 difficulty of the work, the originality of the issues presented including the nature of the
10 issues raised and addressed by the City, and the amount of time spent by and charges by
11 others for work of a similar nature in this and other proceedings.

12
13 **Q. DO THE EXPENSES INCLUDE ANY CHARGES THAT ARE EXCLUDABLE?**

14 A. No. The charges are entirely for professional fees and permissible expenses. There are no
15 excludable expenses included in the invoices. There are no charges for excessive or luxury
16 lodging, meals and beverages, transportation, private or first-class travel, or other services
17 or materials, no charges for duplication of efforts, and no charges for work over 12 hours in
18 any single day.

19
20 **Q. WHAT DO YOU CONCLUDE REGARDING THE CITY'S CONSULTANTS' AND**
21 **EXPERTS' FEES AND EXPENSES?**

22 A. Except for the corrections and adjustments, I've recommended herein, I have concluded that

1 the consultants' and experts' fees and expenses requested by the City are reasonable and
2 necessary and should be approved.

3
4 **Q. DOES THE CITY'S DATA MEET THE CITY'S BURDEN OF PROOF?**

5 A. Yes. The City's data regarding its experts and consultants meets the City's burden to show
6 that its attorneys' and legal personnel's fees are reasonable and necessary and satisfy the
7 requirements of PURA Section 33.023 and PUC Subst. R. 25.245(b) and (c).

8
9 **VI. CONCLUSION**

10 **Q. WHAT HAVE YOU CONCLUDED REGARDING THE CITY OF EL PASO'S**
11 **REQUESTED RATE CASE EXPENSES?**

12 A. The total requested rate case expenses in this filing of \$291,028.57 through September 30,
13 2021, is reasonable and should be approved. Of that sum, the City's requested \$202,613.60
14 in current actual rate case expenses sought by the City of El Paso for its participation in
15 Docket Nos. 52195 through September 30, 2021, and the City's requested \$88,414.97 in
16 actual rate case expenses for its participation in Docket Nos. 52040, 51348, 50058, 49395,
17 and 49148 in 2019 through 2021 are reasonable and necessary and should be approved. In
18 addition, The City's engagement of Norman Gordon, and the other attorneys engaged,
19 attorneys Molly Mayhall Vandervoort, Snapper Carr, and Curtis Seidlits, and the experts
20 and consultants the City engaged, including ReSolved Energy, CJ Consulting, Dan Lawton,
21 the Garrett Group, Resolve Utility, and James Z. Brazell, are reasonable and necessary given
22 the work performed and the difficulty of the issues. The fees and expenses are reimbursable

1 under PURA Section 33.023 and meet the filing requirements and substantive standards of
2 PUC Subst. R. 25.245(b) and (c). The fees, time worked, and expenses are consistent with
3 those charged by other attorneys, experts, and consultants with similar training education
4 and experience, are reasonable for the case with this nature and scope, extent and difficulty,
5 and novelty and complexity. There is no duplication of effort, no expenditures for luxury
6 items, no excessive and unreasonable charges, and no charges are disproportionate,
7 excessive, or unwarranted nor extreme or excessive.
8

9 **Q. WHAT DO YOU RECOMMEND REGARDING THE CITY'S REQUEST FOR**
10 **REIMBURSEMENT?**

11 A. I recommend that the ALJs and the Commission find that the City's requested \$291,028.57
12 in actual rate case expenses incurred through September 30, 2021, including its requested
13 \$202,613.60 in actual expenses through September 30th for its participation in this docket,
14 Docket No. 52195, and its requested \$88,414.97 in actual expenses for its participation in
15 Docket Nos. 52040, 51348, 50058, 49395, and 49148 are reasonable and necessary, are not
16 excessive and comply with the standards and criteria in PURA Section 33.023 and Rule
17 25.254(b) and (c). I recommend that the ALJs and/or the Commission enter orders allowing
18 recovery of the City's requested rate-case expenses as shown in the evidentiary record
19 attached to my testimony.
20

21 **Q. WHAT DO YOU RECOMMEND REGARDING CITY RATE CASE EXPENSES**
22 **INCURRED IN DOCKET NO. 52195 AFTER SEPTEMBER 30, 2021, AND THE**

1 **FILING OF YOUR TESTIMONY?**

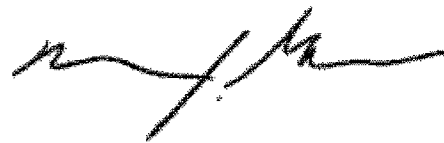
2 A. I recommend that the ALJs and/or the Commission permit the City to update its rate case
3 expenses through supplemental filings as the case progresses to include documentation and
4 proof of such expenses as they are incurred and become actual. If discovery or supplemental
5 testimony, affidavits, invoices, and other data are required, they can be provided along with
6 the updates. If additional hearing is required, the ALJs may convene a Zoom prehearings
7 or hearings or the Commission may conduct a brief hearing when it takes up the case at its
8 open meeting. Upon submission of such supplemental proof, I recommend that the
9 Commission approve the City's additional rate case expenses.

10
11 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

12 A. Yes, it does.
13
14
15
16

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 October 22, 2021.



Norman J. Gordon

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

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

**§
§
§**

**PUBLIC UTILITY COMMISSION

OF TEXAS**

**DIRECT RATE CASE EXPENSE TESTIMONY AND EXHIBITS

OF JAMES Z. BRAZELL**

EXHIBIT JZB-RCE 1

Resume and Bio of James Z. Brazell

RESUME

JAMES Z. BRAZELL

LAW OFFICE OF JAMES Z. BRAZELL, 1003 WEST 7TH STREET, PO BOX 2, TAYLOR, TEXAS 76574
512-658-0830
JBRAZELL@BRAZELLLAW.COM

EDUCATION

Legal: University of Houston Law School. J.D. 1981, with honors. *Class rank:* Top 16 percent. *Areas of concentration:* oil and gas, oil and gas tax, administrative law, environmental law, and real estate.

Undergraduate: University of Texas at Austin. B.A. (English) 1976.

PROFESSIONAL EXPERIENCE

Law Office of James Z. Brazell, 1003 West 7th Street, PO Box 2, Taylor, Texas 76574 (May 2007 to Present). Position: Energy and Utility Attorney, Solo Practice.

Responsibilities: electric utility matters at the Public Utility Commission of Texas; electric transmission matters at the Public Utility Commission of Texas; gas utility matters at the Railroad Commission of Texas; oil and gas regulatory matters, environmental matters, and pipeline matters at the Railroad Commission of Texas; related administrative appeals in the Texas courts; oil and gas transactional, operational, and title matters; environmental matters; related administrative appeals in the Texas courts; appointed CJA representation of tax code defendant on appeal to U.S. Fifth Circuit Court of Appeals and U.S. Supreme Court; appointed CJA representation of criminal defendants in U.S. District Court, Western District of Texas; representation of criminal defendants in state district court (see attached Bio).

Law Office of George C. Neale, 1601 Rio Grande Street, Suite 335, Austin, Texas 78701 (October 2003 to April 2007). Position: Attorney.

Responsibilities: electric utility matters at the Public Utility Commission of Texas; gas utility matters at the Railroad Commission of Texas; oil and gas regulatory matters, environmental matters, and pipeline matters at the Railroad Commission of Texas; related administrative appeals in the Texas courts.

Office of the Attorney General of Texas, P.O. Box 12548, Austin, Texas 78711-2548 (September 2000 - October 2003). Position: Assistant Attorney General, Natural Resources Division.

Responsibilities: Appellate practice in the Travis County District Courts, Texas Third Court of Appeals, Texas Supreme Court, and the U.S. District Court for the Western District of Texas focusing on administrative appeals of orders of the Public Utility Commission of Texas, Railroad Commission of Texas, and Texas Motor Vehicle Board.

Akin, Gump, Strauss, Hauer & Feld, L.L.P., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (May 1998 - August 2000). Position: Senior Counsel, Energy Practice Group.

Responsibilities: electric and gas utility rate and regulatory matters at the Public Utility Commission of Texas and the Railroad Commission of Texas; legislation restructuring utility markets and promoting emerging competitive markets; and oil and gas matters before the Railroad Commission of Texas.

Railroad Commission of Texas, Office of General Counsel, Gas Services Section, 1701 North Congress Avenue, P.O. Box 12967, Capitol Station, Austin, Texas 78711-2967 (June 1992 - May 1998). Position: Hearings

Examiner. Honors: Railroad Commission of Texas Outstanding Service Award 1993, presented by Commissioners Jim Nugent, Mary Scott Nabers, and Barry Williamson.

Responsibilities: hearings examiner presiding in gas utility rate cases, complaint cases, NGPA Section 311 applications, rulemaking proceedings, and other regulatory proceedings; presiding in multiparty utility rate hearings; receiving and evaluating complex technical evidence; drafting proposals for decision and orders; presenting recommendations to the Railroad Commission in open meetings; testifying on technical gas utility, oil and gas, and environmental matters before the Texas Legislature; providing technical assistance on the impact of the actual taxes doctrine in utility rate making to particular legislator offices.

Public Utility Commission of Texas, Hearings Division, 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas 78757 (February 1989 - June 1992). Position: Administrative Law Judge.

Responsibilities: Administrative law judge presiding in electric and telephone utility rate cases, complaint cases, rulemaking proceedings, enforcement proceedings, and other regulatory proceedings; presiding in multi-party electric and telephone utility rate, complaint, and other multi-party regulatory proceedings; receiving and evaluating complex technical evidence; drafting proposals for decision; and presenting recommendations to the Commission in open meeting.

OTHER PROFESSIONAL EXPERIENCE

City of Midland Municipal Court, 406 East Illinois Street, Midland, Texas 79702 (April 1985 - February 1989). Position: Associate Municipal Court Judge. Responsibilities: presiding in jury and non-jury trials, taking defendant pleas, ruling on pre-trial motions, and administering magistrate warnings.

Midland County Attorney's Office, Courthouse, 2nd Floor, Midland, Texas 79701 (November 1982 - April 1985). Position: Assistant County Attorney. Responsibilities: prosecuting criminal complaints in jury and non-jury trials.

Bexar County District Attorney's Office, 300 Delarosa Street, Justice Center, San Antonio, Texas 78205 (4th Quarter 1983). Position: Assistant District Attorney. Responsibilities: prosecuting felony criminal examining trials.

Exxon Company, U.S.A., 615 West Missouri Street, Midland, Texas 79701 (August 1981 - November 1982). Position: Petroleum Landman, Title Section. Responsibilities: examining title and securing title curative documentation for drilling leases and tracts.

INTERESTS

Mechanics, hay farming, polo, polocrosse, & related equine and farming activities.

BIO

JAMES Z. BRAZELL

LAW OFFICE OF JAMES Z. BRAZELL
1003 WEST 7TH STREET, PO BOX 2, TAYLOR, TEXAS 76574
512-658-0830
JBRAZELL@BRAZELLLAW.COM

James Z. Brazell is an attorney in solo practice in the Law Office of James Z. Brazell. Mr. Brazell's office address and contact information is 1003 West 7th Street, PO Box 2, Taylor, Texas 76574, 512-658-0830, jbrazell@brazelllaw.com.

Mr. Brazell received a Bachelor of Arts in English from the University of Texas at Austin in 1976 and a Doctor of Jurisprudence with Honors from the University of Houston Law Center in 1981. Mr. Brazell has been employed in the utility regulatory field since 1989.

Mr. Brazell has over 30 years' experience in the public utility regulatory arena. His first employment in the regulatory area was in the Hearings Division of the Public Utility Commission of Texas ("PUC") in 1989 where he served as a hearings examiner and, later, as an administrative law judge. While employed at the PUC, Mr. Brazell presided in various phases of Commission electric utility rate proceedings, including presiding in the revenue requirement, rate design, and fuel reconciliation phases of various key proceedings related to the rate base treatment of nuclear generating facilities that were being brought on line in Texas. Mr. Brazell also presided in various electric utility complaint proceedings and in certain telecom cases that were, at the time, within the Commission's plenary jurisdiction.

Next, from 1992 to 1998, Mr. Brazell served as a hearings examiner in the Gas Utility Section of the Legal Division (or, as it is now called, the Hearings Division and Office of General Counsel) of the Railroad Commission of Texas ("Railroad Commission" or "RRCT"). In that position, Mr. Brazell presided in gas utility rate proceedings, presided in other gas utility administrative proceedings, drafted and evaluated rules, provided bill analyses, assisted in drafting commissioner speeches and presentations, participated in the initial development of the RRCT's GIS mapping system, and gave resource testimony and assistance in the Texas Legislature.

In 1998, Mr. Brazell left the Railroad Commission to become employed in the Austin office of the Energy Section of Akin, Gump, Strauss, Hauer & Feld, LLP. At Akin Gump, Mr. Brazell participated in utility rate proceedings and other proceedings at the PUC. Mr. Brazell also participated in the legislative processes leading to the passage of SB 7 in 1999, the bill that unbundled and deregulated the electric industry in Texas. Mr. Brazell also participated in utility rate and regulatory matters at the Railroad Commission.

From 2000 to 2003, Mr. Brazell served in the Natural Resources Division of the Office of the Attorney General in Austin. In that capacity Mr. Brazell represented the PUC and other Texas agencies in administrative appeals of Commission and agency orders in the Travis County District Court, the Austin Court of Appeals, and the Texas Supreme Court.

Following his employment with the Attorney General, Mr. Brazell was employed in the Law Office of George C. Neale, where, in addition to working on electric and gas utility matters, Mr. Brazell handled oil and gas matters and other energy regulatory matters within the Railroad Commission's jurisdiction. Mr. Brazell represented a large gas utility in a complaint by an electric utility at the Railroad Commission and represented a large independent oil and gas customer in a rate proceeding at the Public Utility Commission.

In May 2007, Mr. Brazell opened his own firm in Austin, Texas, and practiced in Austin through mid-2019. In mid-2019, he moved his practice to Taylor, Texas, just outside Austin that is also the home of the ERCOT operations center. Mr. Brazell remains employed in his solo practice to the present. In his practice, Mr. Brazell has represented clients in PUC rate, transmission line, complaint, and rulemaking matters, in Railroad Commission oil and gas matters, in PUC CREZ transmission proceedings and related condemnation matters, in PUC sale, transfer, and merger proceedings, and in other proceedings at the PUC and RRCT. More specifically, Mr. Brazell has:

- appeared and participated in administrative appeals in the courts of Public Utility Commission and Railroad Commission orders and gas utility rate proceedings at the Railroad Commission;
- testified as an expert witness in PUC and Railroad Commission proceedings (see below);
- represented a large independent gas producer in the application of a Texas electric utility to move from the Southwest Power Pool to ERCOT and from bundled to unbundled service and in other related applications;
- represented a Houston-area Texas gas utility in its request for rate relief from the Railroad Commission;
- assisted a large West Texas power aggregator in proceedings at ERCOT seeking to mitigate extreme congestion charges in the ERCOT West Zone;
- represented large landowners in matters relating to the siting and construction of CREZ transmission lines, including: 1. a complaint against Oncor regarding the landowner's claim that Oncor built its CREZ transmission line in a location other than the location approved by the PUC and landowner request pursuant to a Commission CREZ order; and 2. request by landowner for a minor deviation to mitigate the impact of the CREZ line on the landowner's properties;
- represented a large independent oil and gas producer in rate and other related proceedings of electric utilities at the Public Utility Commission of Texas and at ERCOT;
- represented a Fort Worth-area homeowner group on a pro-bono basis in the group's complaint against Oncor for the proposed construction of a transmission line through the neighborhood after an 18-year hiatus after Commission approval of the line;
- represented a Houston-area oil and gas producer in a complaint at the Railroad Commission against a major intrastate pipeline seeking to disconnect and abandon the producer as a result of claimed pipeline integrity failures;
- represented an oil and gas producer and gatherer against an administratively-approved pipeline rate increase for alleged river crossing charges;
- assisted the Sierra Club in rate proceedings filed by major non-ERCOT integrated Texas electric utilities at the PUC relating to utility requests for approval of environmental retrofit costs of electric generation plants, utility proposed early plant retirements, and utility plant dispatch practices;
- represented various agencies of the University of Texas System in their intervention in an Oncor rate proceeding seeking to incorporate Oncor's investment in the Sharyland system into rates and to include the offsetting cost savings from tax reductions from the 2017 Federal Tax Cuts and Jobs Act;
- In 2019 – 2020, represented a Texas local distribution gas utility in a complaint against an oil and gas producer and gatherer requesting resolution of the producer/gatherer's filings at the Railroad Commission indicating a threat of disconnection and discontinuance of service to the LDC;
- In 2020 – 2021, represented a group of Texas landowners in the application by a northeast Texas transmission and distribution electric cooperative for permission to revise its CCN to authorize routing and construction of a radial 138-kV transmission line over the landowners' properties;

- In early 2021, represented a northeast Texas gas gathering pipeline in a complaint at the Railroad Commission by an oil and gas producer claiming the pipeline had incorrectly disconnected service to the producer; and
- In March 2021, counseled and represented a West Texas commercial electric customer in matters relating to a complaint at the Public Utility Commission against a power marketer's imposition of unreasonable and unsupported supplemental ancillary service charges unlawfully attributed to the February 2021, Winter Storm Uri.

Besides these, Mr. Brazell has represented clients and participated in other gas and electric utility rate, electric transmission, pipeline, and oil and gas matters at the Public Utility Commission of Texas, at the Railroad Commission of Texas, and in the Texas courts. Mr. Brazell has also testified on various regulatory, utility, and administrative law matters before the Texas Legislature. And, Mr. Brazell, upon appointment by Judge Sam Sparks, U.S. District Judge, Western District of Texas, represented a federal tax code defendant in the defendant's appeal to the U.S. Fifth Circuit Court of Appeals and the U.S. Supreme Court; and, upon appointment, provided CJA representation of criminal defendants in U.S. District Court, Western District of Texas.

Selected Sample & Representative Dockets and Proceedings:

Public Utility Commission of Texas, Docket No. 40953, *Complaint of Johnny H. Vinson and Eloise Vinson Against Oncor Electric Delivery Company, LLC*; counsel for complainants Johnny H. and Eloise Vinson;

Public Utility Commission of Texas, Docket No. 42087, *Application of Oncor Electric Delivery Company, LLC to Amend its Certificate of Convenience and Necessity for a Proposed 138-kV Transmission Line in Denton, Tarrant and Wise Counties (Hicks-Elizabeth Creek CCN)*; counsel for Johnny H. and Eloise Vinson;

Public Utility Commission of Texas, Docket No. 46635, *Complaint of Chadwick Farms Homeowners Association, Inc. Against Oncor Electric Delivery Company LLC*; counsel for complainants Chadwick Farms;

Public Utility Commission of Texas, Docket No. 46957, *Application of Oncor Electric Delivery Company LLC for Authority to Change Rates*; counsel for University of Texas System Agencies;

Public Utility Commission of Texas, Docket No. 50812, *Application of Rayburn Country Electric Cooperative, Inc. to Amend Its Certificate of Convenience and Necessity for the New Hope 138-kV Transmission Line in Collin County*; counsel for W4-W7 Intervenor (landowners Sherri and Richard Eubank, Margaret O'Neal, Michael Swim, Mary Borchard, and Helmuth and Nicole Mayer);

Railroad Commission of Texas Gas Utility Docket GUD No. 10950, *Complaint of GreenLight Gas Against BlackBrush O&G, LLC, and Petitions for Abandonment, Gas Utility Rule Revision, Service and Facilities Adequacy Orders, Least-Cost Alternative Orders, and Contract Orders*; counsel for GreenLight Gas; and

Railroad Commission of Texas Oil & Gas Docket OG-20-00005143, *Show Cause Proceeding for Eastman Gas Company, LLC, to Show Cause Why It Should Not Be Compelled to Comply with Commission Rule § 3.73(b)*; counsel for Eastman Gas Company.

Expert Testimony:

Public Utility Commission of Texas, Docket No. 34800, *Application of Entergy Gulf States, Inc. for Authority to Change Rates and Reconcile Fuel Costs*; testimony on behalf of the Cities Served by Applicant; April 11, 2008;

Railroad Commission of Texas, Gas Utilities Docket No. 9791, *Statement of Intent Filed by CenterPoint Energy Entex to Increase the Rates in the Unincorporated Areas of the Texas Coast Division*; testimony on behalf of Texas Coast Utilities Coalition of Cities; June 25, 2008;

Railroad Commission of Texas, Gas Utility Docket No. 9787, *Rate Case Expenses Severed from Gas Utilities Docket No. 9762*; rate case expense testimony on behalf of the City of Dallas; February 20, 2009;

Public Utility Commission of Texas, Docket No. 37744, *Application of Entergy Texas, Inc. for Authority to Change Rates and Reconcile Fuel Costs*; testimony on behalf of Cities; June 9, 2010;

Public Utility Commission of Texas, Docket No. 38339, *Application of CenterPoint Houston Electric, LLC, for Authority to Change Rates*; rate case expense testimony on behalf of Texas Coast Utilities Coalition; September 10, 2010;

Railroad Commission of Texas, Gas Utilities Docket No. 10007, *Appeal of CenterPoint Energy Resources, Corp. d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas from the Action of the GCCC Cities (COSA-2) and TCUC Cities (COSA-3)*; rate case expense testimony on behalf of Texas Coast Utilities Coalition; November 12, 2010;

Public Utility Commission of Texas, Docket No. 38306, *Texas-New Mexico Power Company's Request for Approval of Advanced Metering System (AMS) Deployment and AMS Surcharge*; rate case expense testimony on behalf of Alliance of Texas-New Mexico Power Municipalities; April 8, 2011;

Public Utility Commission of Texas, Docket No. 39896, *Application of Entergy Texas, Inc. for Authority to Change Rates, Reconcile Fuel Costs, and Obtain Deferred Accounting Treatment*; testimony regarding movement of revenue recovery to riders, deferred accounting of MISO transition costs, treatment of municipal franchise fees, and other issues on behalf of Cities Served by Entergy Texas, Inc; March 27, 2012;

Public Utility Commission of Texas, Docket No. 40443, *Application of Southwestern Electric Power Company for Authority to Change rates and Reconcile Fuel Costs*; rate case expense testimony on behalf of Cities Advocating Reasonable Deregulation, December 10, 2012 (Mr. Brazell's testimony was incorporated and presented by other witnesses in severed Docket No. 42370, *Application of Southwestern Electric Power Company for Rate Case Expenses Severed From PUC Docket No. 40443*); and

Public Utility Commission of Texas, Docket No. 44941, *Application of El Paso Electric Company to Change Rates*; direct rate case expense testimony on behalf of the City of El Paso, December 11, 2015.

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

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

**§
§
§**

**PUBLIC UTILITY COMMISSION

OF TEXAS**

DIRECT RATE CASE EXPENSE TESTIMONY AND EXHIBITS

OF JAMES Z. BRAZELL

EXHIBIT JZB-RCE 2

Declaration of Norman J. Gordon

SOAH DOCKET NO. 473-21-2606
PUCT DOCKET NO. 52195

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

DECLARATION OF NORMAN J. GORDON

THE STATE OF OHIO)
)
COUNTY OF CUYAHOGA)

ON THIS DAY personally appeared NORMAN J. GORDON, the person whose name is subscribed hereto, and stated as follows:

1. My name is Norman J. Gordon. My business address is PO Box 8, El Paso, Texas, 79940. I am over eighteen years of age and I am not disqualified from making this Declaration. I declare under penalty of perjury that the information in this declaration provided under Chapter 132 Texas Civil Practice and Remedies Code is true and correct.

2. I am an attorney licensed in the States of Texas and Illinois, and numerous federal courts. I received my undergraduate degree and law degree from University of Illinois at Urbana-Champaign. I have been in private practice of law in El Paso since completing my military obligation with the Judge Advocate General's Corps of the United States Army in 1974. I am board certified in Civil Trial Law by the Texas Board of Legal Specialization and have been so certified since 1983. One of the areas of my practice is in the area of utility regulation. Since 1978, I have been lead counsel for parties in many major rate cases, rule making proceedings, and other administrative dockets before City Councils, the Railroad Commission of Texas, the Public Utility Commission of Texas, State District Courts, United States Bankruptcy Court, and Texas Appellate Courts, including the Supreme Court of Texas. I have filed testimony on rate case expense issues in cases before Railroad Commission of Texas. I have filed testimony and testified as an expert witness on rate case expenses in cases before the Public Utility Commission of Texas. I have also taught principles of regulation to members of the Public Utility Regulation Board of the City of El Paso, an advisory board on utility matters.

3. I became a sole practitioner in February 2019. Prior to February 2019, I was a shareholder in the El Paso firm of Mounce, Green Myers, Safi, Paxson & Galatzan, A Professional Corporation, from October 2003 until February 2019. Prior to that time my private practice was with the El Paso law firm of Diamond Rash Gordon & Jackson, P.C., for 29 years where I was a shareholder.

4. The City of El Paso ("City") engaged me to act as outside counsel for it in this case, Application of El Paso Electric Company to Change Rates PUC Docket No. 52195 SOAH No.

473-21-2606. Previously I was also engaged by the City in connection with several other cases all of which settled and the fees of which are or will be subject to review in this case. Those cases include: *Application of El Paso Electric Company to Amend its Distribution Cost Recovery Factor*, PUC Docket No. 51348, *El Paso Electric Company Application to Reconcile Fuel Costs*, PUC Docket 50058, *Application of El Paso Electric for a Distribution Cost Recovery Factor*, PUC Docket No. 49395, and *Application of El Paso Electric for a Transmission Cost Recovery Factor*, PUC Docket 49148. In addition, EPE has pending an Application for Advanced Metering and Surcharge PUC Docket No. 52040.

5. In connection with the Docket 52195, case, through September 30, 2021, I billed a total of \$49,350.00 in fees. There were no expenses charged. The description of services is provided in the attached invoices, by day and services performed. All services charged were for my time. The invoices and support are attached in Exhibit JZB-RCE 3 to the testimony of James Z. Brazell. There were no charges for first class travel or hotel expense. There will be no markup on the expenses.

6. There will be additional fees and potentially expenses through the completion of the case. I will update this Declaration prior to the close of the evidence. The services to be provided include the completion of discovery, testimony review and filing, review testimony of other intervenors, PUC staff, cross-rebuttal and rebuttal, discovery on other parties, participation at hearing before City Council, settlement negotiations preparation for the hearing, the hearing, post hearing briefing, including any necessary activities after the issuance of the Proposal for Decision. Based on my experience, I estimate an additional \$150,000 to \$180,000 in fees, plus expenses for copies and transcripts which may be an additional \$20,000. Since the hearing is currently identified to be conducted on Zoom[®], I expect that the travel will be minimal. These estimates do not include the estimates of the costs of an Appeal of any decision, should that be necessary.

7. Invoices from *Application of El Paso Electric Company to Amend its Distribution Cost Recovery Factor*, PUC Docket No. 51348, *El Paso Electric Company Application to Reconcile Fuel Costs*, PUC Docket 50058, *Application of El Paso Electric for a Distribution Cost Recovery Factor*, PUC Docket No. 49395, and *Application of El Paso Electric for a Transmission Cost Recovery Factor*, PUC Docket 49148 are provided in Exhibit JZB-RCE 4 to the testimony of James Z. Brazell. In each case the services performed were reasonable in relation to the issues presented and matters raised. I note that each of those cases except Docket 52040 resulted in a settlement. Docket No. 52040 currently has settlement negotiations in progress.

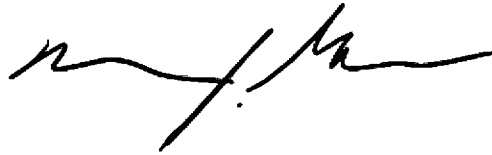
8. I am familiar with the hourly rates charged by others in Texas with similar or less experience for similar work, through the cases in which I have acted as counsel and through the cases in which I have filed testimony. The hourly rates charged by me of \$350.00 which in my experience is reasonable.

9. All of the work done by me was necessary and reasonable with respect to both time and amount considering the nature, extent, and difficulty of the work, the originality of the issues presented including the nature of the issues raised and addressed by the City in this proceeding,

and the amount of time spent by and charges by others for work of a similar nature in this and other proceedings.

Further Declarant Says Not.

Dated October 21, 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
SOAH DOCKET NO. 473-21-2606**

APPLICATION OF EL PASO	§	PUBLIC UTILITY COMMISSION
ELECTRIC COMPANY TO CHANGE	§	
RATES	§	OF TEXAS

**DIRECT RATE CASE EXPENSE TESTIMONY AND EXHIBITS
OF JAMES Z. BRAZELL**

EXHIBIT JZB-RCE-3

**Summary of and Invoices and Source Documents for City of El Paso Rate Case Expenses for
Participation in PUC Docket Nos. 52195**

Exhibit 3A
Summary of City of El Paso Rate Case Expenses for Participation in PUC Docket No. 52195
Application of El Paso Electric Company for Authority to Change Rates

(a) Attorney/Consultant	(b) Invoice Date	(c) Invoice No.	(d) Billing Period	(e) Fees	(f) Expenses	(g) Invoiced Amounts
Legal Fees and Expenses						
Norman J. Gordon	09/20/21	172	Mar-Aug 2021	\$39,095.00	\$0.00	\$39,095.00
	10/21/2021	176	Sep 2021	\$10,255	\$0.00	\$10,255.00
			Total			\$49,350.00
Molly Mayhall Vandervoort	None	NA	NA	NA	NA	NA
			Total			\$0.00
Snapper Carr, Curtis Seidlits	None	NA	NA	NA	NA	NA
			Total			\$0.00
Consultants and Experts Fees and Expenses						
ReSolved Energy (Karl Nalepa)						
	7/13/2021	4826	Jun 2021	\$2,214.00	\$0.00	\$2,214.00
	8/5/2021	4842	Jul 2021	\$2,871.00	\$0.00	\$2,871.00
	9/8/2021	4862	Aug 2021	\$2,115.00	\$0.00	\$2,115.00
	10/7/2021	4881	Sep 2021	\$1,782.00	\$0.00	\$1,782.00
			Total			\$8,982.00
CJ Energy (Clarence Johnson)	10/1/2021	1	Jul-Sep 2021	\$12,804.00	\$0.00	\$12,804.00
			Total			\$12,804.00
Dan Lawton	8/9/2021	NA	Jul 2021	\$24,275.00	\$0.00	\$24,275.00
	9/9/2021	992021	Aug 2021	\$15,325.00	\$0.00	\$15,325.00
	10/9/2021	1092021	Sep 2021	\$11,000.00	\$0.00	\$11,000.00
			Total			\$50,600.00

Garrett Group (Mark Garrett)	9/10/2021	NA		\$25,435.00	\$1,017.40	\$26,452.40
	10/6/2021	NA		\$7,005.00	\$280.20	\$7,285.20
			Total			\$33,737.60
Resolve Utility (David Garrett)	8/22/2021	000459	Jul 2021	\$2,750.00	\$0.00	\$2,750.00
	10/4/2021	000478	Aug 2021	\$9,550.00	\$0.00	\$9,550.00
	10/4/2021	000479	Sep 2021	\$3,200.00	\$0.00	\$3,200.00
			Total			\$15,500.00
Norwood Energy (Scott Norwood)						
	10/18/2021	EPE Rate Jun21	Jun 2021	\$5,720.00	\$0.00	\$5,720.00
	10/18/2021	Jul21	Jul 2021	\$7,920.00	\$0.00	\$7,920.00
	10/18/2021	Aug21	Aug 2021	\$8,360.00	\$0.00	\$8,360.00
	10/18/2021	Sep21	Sep 2021	\$8,800.00	\$0.00	\$8,800.00
			Total			\$30,800.00
Law Ofc of James Z Brazell (James Brazell)	10/20/2021	Inv21-1760	Sep 2021	\$840.00	\$0.00	\$840.00
			Total			\$840.00
			Case Total			\$202,613.60

Norman Gordon,
Molly Mayhall Vandervoort

Norman J. Gordon
Attorney at Law
PO Box 8
El Paso, Texas, 79940

Page: 1
10/21/2021
Account No: 1M

City of El Paso
300 N. Campbell
Attn: Office of the City Attorney
PO Box 1890
El Paso TX 79950-1890
El Paso TX 79901

Attn: Karla M. Nieman

Payments received after 10/21/2021 are not included on this statement.

Norman J Gordon
Attorney At Law

	Balance
1-30 EPE 2021 Rate Case	<u>\$10,255.00</u>

Please make checks payable to "Norman J. Gordon"

000054

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EPE 2021 Rate Case

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 10/21/2021
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 Statement No: 176

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Fees

			Hours	
09/01/2021	NJG	Tel. B. Slocum re: Discovery, Tel E. Farrar, Tel. Slocum and Emails re: discovery issue.	0.50	175.00
09/02/2021	NJG	E-mails and scheduled and discovery review of EPE adjustments/treatment of COVID 19 effects on class cost allocation.	1.10	385.00
09/03/2021	NJG	Tel. w/ D. Lawton re: jurisdictional allocation issues, Research NM orders and E-mail to D Lawton, Review Vinton 3rd RFI/s	1.80	630.00
09/06/2021	NJG	Preparation filing and service of 11th RFIs to EPE, Identification of potential PV and Newman 6 issues E-mail to S Norwood	1.30	455.00
09/09/2021	NJG	Review discovery responses to Staff (6th set), Staff 9th RFI's to EPE, TIEC 4th, response to OPUC 6, Vinton Steel 2nd, Amended response to City 2nd, and OPUC 9th Set to EPE.	2.20	770.00
09/10/2021	NJG	Preparation and filing CEP 12th RFI's Review TIEC 5th RFI's and Staff 11, Identify Employee compensation issues	2.10	735.00
09/13/2021	NJG	Preparation and filing of City's 13th RFI's	0.70	245.00
09/14/2021	NJG	Review Responses to CEP 6th RFI's,	0.60	210.00
09/15/2021	NJG	Review Staff 12th RFI's	0.20	70.00
09/17/2021	NJG	Prepare and file 14th RFI's to EPE, Review responses from EPE filed 9/15 and 9/16	1.80	630.00
	NJG	Preparation and filing of City's 14th RFI's to EPE	0.90	315.00
09/20/2021	NJG	Review RFI' responses re: Staff and CEP Tel. D. Lawton re: progress, Tel. B. Slocum re: discovery Prepare and file CEP 15th RFI's to EPE.	1.60	560.00
			000055	

EPE 2021 Rate Case

			Hours	
09/21/2021	NJG	Download discovery responses, Tel. w/James Brazell re: potential consulting agreement. E-mails re: consulting agreement, Tel. with City Attorney re: current issues and status, E-mail to consultants re: deadlines and approaches.	1.70	595.00
09/22/2021	NJG	Review Vinton 5th Requests, FMI 3, Response to FMI 1, Receipt of Draft of Lawton testimony (Rate of return and Jurisdictional allocation)	1.20	420.00
09/23/2021	NJG	Tel. B. Slocum re: CEP 13th set, Review Responses to Vinton 3, TIEC 3, and UTEP 3, Review DOD 1st RFI's, Tel. M. Arambula re: history of charges to DG customers,	2.10	735.00
09/24/2021	NJG	re: local procedure, review of activities in 2017 and E-mail results to CAO, Review of draft Lawton testimony, review of Nelson Rate of Return (EPE testimony, and Nelson prior testimonies, effect of NM decision on capital structure).	3.20	1,120.00
09/27/2021	NJG	Review response to CEP 11th RFI's	0.60	210.00
09/28/2021	NJG	Review responses to TIEC 4, Staff 9, Staff 10, Tel. B. Slocum re: discovery, Tel. M. Arambula re: Council questions, Discussion w/ CAO about Council presentation issues. and increases by class, compared to 2017 and cost study results.	2.30	805.00
09/29/2021	NJG	Preparation and transmittal of rate case background to J. Brazell,	0.40	140.00
09/30/2021	NJG	Review RFI responses filed by EPE, Review EPE rate of return testimony re: issues raised in draft testimony, prior testimonies.	3.00	1,050.00
For Current Services Rendered			29.30	10,255.00

		Recap			
<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>	
Norman J Gordon		29.30	\$350.00	\$10,255.00	
Total Current Work				10,255.00	
Balance Due				<u>\$10,255.00</u>	

Billing History				
<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>
10,255.00	0.00	0.00	0.00	0.00

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Page: 1
09/20/2021
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Norman J Gordon
Attorney At Law

	Balance
1-30 EPE 2021 Rate Case	<u>\$39,095.00</u>

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000057

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EPE 2021 Rate Case

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 09/20/2021
 Account No: 1-30M
 Statement No: 172

Payments received after 09/20/2021 are not included on this statement.

Fees

			Hours	
03/25/2021	NJG	Review files at NMPRC and review letter in Fuel Cost filing that had been sent to City Council transmit to M. Arambula.	0.70	245.00
05/25/2021	NJG	GEN-Begin preparation of consultant list and issue list for CMO CAO consideration	3.00	1,050.00
05/26/2021	NJG	GEN complete Memo re: issues, actions and potential consultants for CMO/CAO transmit to Manny Arambula	2.80	980.00
06/01/2021	NJG	General Receipt of notice of EPE's filing Obtain documents filed at PUCT, Identify amounts, preliminary impacts and broad nature of the requests.	2.60	910.00
	NJG	General-Download File from PUC interchange, Start review for amounts changes and potential issues,	2.10	735.00
06/02/2021	NJG	General Initial receipt of hard copy and initial review of testimony (Schichtl, Prieto)	2.00	700.00
06/03/2021	NJG	General-Continued initial testimony review Volume 2	2.40	840.00
06/04/2021	NJG	General Continued Testimony review, Prepare for and Conference with City Attorney office and E Triggs re: case progress, and potential issues.	2.30	805.00
06/08/2021	NJG	General Preparation of draft suspension resolution, Memo/E-mail re: timelines and necessity of timing of actions.	1.60	560.00
06/09/2021	NJG	E-mails re: timing of filings including intervention.	0.20	70.00
06/11/2021	NJG	General Finalize intervention file and serve, Receipt and review of SOAH Order No. 1, notation of prehearing conference, and question about date, E-mail to client,	1.10	385.00

EPE 2021 Rate Case

			Hours	
06/14/2021	NJG	General, See Revised SOAH Order No. 1 (date change for prehearing conference, Begin Memo regarding rate case issues and issues raised in the filing.	3.20	1,120.00
06/15/2021	NJG	General, Review and comment on Slides presented by EPE to Management at meeting of 6/14, Complete issues memo to client for discussion, Start draft of Issues list of Preliminary order,	4.30	1,505.00
06/16/2021	NJG	General, Complete List of issues for submission for preliminary order and file, Review PUC Staff and EPE proposed List of issues, Virtual conference with City Attorney, Outside Counsel, re: Council discussion on 6/21) Tel w/ Consultants re: status(C Johnson, D Garrett, M. Garrett, K Nalepa)	5.00	1,750.00
06/17/2021	NJG	General Tel D. Lawton (.3)Tel. S. Norwood (.2). Expenses, Review draft preliminary order (.3) More detailed review of expense testimony (Prieto, Borden,) Schedules for expenses, compare to prior case issues.(2.7)	3.50	1,225.00
06/18/2021	NJG	General Monitor NM PRC discussion of NM Rate case, Prepare and File CEP First RFI's Expenses (review details of proposed adjustments WP A-3	3.50	1,225.00
06/21/2021	NJG	General Monitor City Council Meeting, tel. K Nalepa, Tel. B. Hallmark re case status and issues.	1.60	560.00
06/22/2021	NJG	General, Review and comment on proposed fact sheet and press release, Comments on initial issues for procedural schedule, Circulate EPE initial schedule to consultants for potential conflicts in dates,	1.40	490.00
06/23/2021	NJG	Monitor NM PRC discussions re: final order in NM Case,(1.0) file protective order certifications Receipt and review of City intervention by Western Refining. (.1) Download and initial review of protected materials from EPE's server.	2.90	1,015.00
06/24/2021	NJG	General Review of New Mexico Order and Prepare explanatory memo to client re: results in New Mexico rate case, Monitor PUCT open meeting for adoption of Preliminary Order, Respond to Comments on issues of concern to individual council members.	4.00	1,400.00
06/25/2021	NJG	General. Work through issues for Council briefing on 7/7, and begin revisions to prior memo, Work through EPE COS model, re: allocation issues allocation factors, and impact of changes (2.0), Receive draft of Accounting RFI's and comment on changes and possible divisions, Attend Prehearing conference re: schedule and parties, Complete redraft of CEP 2nd RFI's	5.00	1,750.00
06/27/2021	NJG	Work on Redraft of RFI's CEP 2, and CEP 3. 1/2). Continued work on bullet points for 7/7/ presentation of issues for Council. 2.0	3.40	1,190.00
06/28/2021	NJG	General Tel. S Carr re: meetings with Council,(.4) Tel. K Nalepa re: model and related issues (.2), Tel. M Arambula re: General issues in case, (1.1 Prepare Third, Fourth and Draft Fifth RFI's Check Prior discovery question re: issues on Right-of-Way and testimony comparison. E mail to B. Slocum		

EPE 2021 Rate Case

			Hours	
		re: issues raised in EPE press release re: Charitable contributions. Filing of CEP 2nd RFI's	4.90	1,715.00
06/29/2021	NJG	General Accounting Review and Forward Staff 1st RFI's Finalize and serve CEP 3rd RFI's to EPE Tel. B. Slocum re: RFI issues. Receipt of draft RFI's for set 4, Prepare CEP 4th RFI's to EPE (Operating Expense and Allocations (.4) General E-mails to client re: general operation issues. Tel. Slocum re: RFI questions and responses E mail to E Farrar re: questions raised by EPE.	3.80	1,330.00
06/30/2021	NJG	General Filing and Service of 4th RFI's to EPE, Accounting issues, PProgress on Relied upons, (Review documents posted by EPE on 6/24 (responsive to missing native files), incl. lack of pinpoint citations. Finalize 5th RFI's Email to M. Arambula re: issues in recent court decisions.	2.70	945.00
07/01/2021	NJG	General File 5th RFI's to EPE, (.2) Allocations Review and forward OPC 1st RFI's Tel. Z. Stephenson and E-mail to Stephenson,(.6) Tel. w M. Arambula re: Council presentation issues (.3) Additional review of schedules and Expense adjustments for Friday meeting (w/ Consultants).	4.30	1,505.00
07/02/2021	NJG	Accounting (2.4)Prepare discussion point list and virtual conf w/ M. Garrett, E Farrar, M. Arambula, Work on accounting issues for next set of RFI's Tel. B. Slocum Re: discovery issues, Compare rate filing issues to expenses and information recorded in FERC Form 1, Cost Allocation/Rate Design. Start comparisons of factors and methods. Review OPC 2nd RFI's	4.40	1,540.00
07/07/2021	NJG	Review materials for Council presentation, monitor Council meeting and participate in Executive Session. Prepare E-mail on Street Lighting Issues, and compare street lighting rate proposals. Tel. S. Carr	4.20	1,470.00
07/08/2021	NJG	E-mails re: discovery questions, O & M expense Receipt and initial review of responses to CEP 1st RFI's notes on documents and answers, Comparison of generation O&M expense	3.40	1,190.00
07/09/2021	NJG	O&M Expense, Continued review of responses to CEP 1st RFI's Tel. w/ S. Norwood, Prepare and file 6th RFI's	2.40	840.00
07/15/2021	NJG	General W. Silver Motion to Intervene, Forward to CAO	0.20	70.00
07/16/2021	NJG	General Review 45 day update served by EPE (Public Portions)	1.60	560.00
07/19/2021	NJG	General Review Confidential Portions of 45 day update Notify consultants of same.	0.70	245.00
07/21/2021	NJG	General-Review EPE RFI responses CEP 4th RFI's CEP 5th RFI's amended responses to OPUC	2.20	770.00
07/22/2021	NJG	General Responses to OPUC 2nd and OPUC 3rd questions	0.90	315.00
08/02/2021	NJG	Rate Base Detailed Review of voluminous attachments and attached files to RFI response re: Transmission decisions	2.50	875.00

EPE 2021 Rate Case

			Hours	
08/03/2021	NJG	Rate Base Continued Review of voluminous responses and attachments to RFI's on Transmission plant	2.50	875.00
08/04/2021	NJG	Rate Base Review of Voluminous non confidential responses to RFI's on Transmission investment,	2.10	735.00
08/05/2021	NJG	General Review Updated responses to CEP RFI's 2 and 3, Staff RFI 1 and 2	2.70	945.00
08/09/2021	NJG	Depreciation Review EPE answers to RFI's re: depreciation	1.70	595.00
08/12/2021	NJG	Discussion w/ CAO re: issues and scheduling/(Standing meeting discussion)	0.30	105.00
08/13/2021	NJG	Cost Allocation Rate Design Telephone w/ Clarence Johnson re: issues in area, E-mails and telephone re: meeting on cost allocation issues	1.10	385.00
	NJG	General Assembly for filing of additional Protective Order Certifications	0.30	105.00
	NJG	e-mails w/ B. Slocum re: extension of Jurisdictional deadline for City of El Paso	0.10	35.00
	NJG	Attend Prehearing Conference via Zoom, Review E-mails re: meeting of Cities, Tel. w/ A. Hall. (.1)	1.20	420.00
08/16/2021	NJG	E-mails re: additional interventions (Rate 41 Group and DOD, Status of Discovery.	0.50	175.00
08/24/2021	NJG	Cost Allocation-rate design Prepare file and Serve 9th RFI's	0.70	245.00
08/26/2021	NJG	General--TEI. B. Slocum Start work on 10 and 11 RFI's	0.40	140.00
08/27/2021	NJG	General Accounting Cost allocation Review RFI answers prepare and file 10th RFI's Tel. K. Nalepa E-mails Lawton	1.30	455.00
		For Current Services Rendered	111.70	39,095.00

		Recap			
<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>	
Norman J Gordon		111.70	\$350.00	\$39,095.00	
Total Current Work				39,095.00	
Balance Due				<u>\$39,095.00</u>	

Billing History				
<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>
39,095.00	0.00	0.00	0.00	0.00

Snapper Carr
Curtis Seidlets

ReSolved Energy Consulting, LLC
Karl Nalepa & Associates

ReSolved Energy Consulting, LLC

11044 Research Blvd, A-420
Austin, TX 78759

Invoice

DATE	INVOICE NUMBER
7/13/2021	4826

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950-1890

PROJECT

NG EPE 21 RC 52195

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa)	5.2	270.00	1,404.00
Consulting (Cromleigh)	4.5	180.00	810.00
Total Labor			2,214.00
Work Completed thru - June 30, 2021		TOTAL DUE	\$2,214.00

Monthly Recap

Karl Nalepa

Date	Task	Hours
June 9, 2021	Download and review filing.	1.00
June 10, 2021	Continue to review filing.	1.30
June 11, 2021	Review schedules.	0.80
June 21, 2021	Review filing. Call and emails with N. Gordon regarding jurisdictional allocation model.	0.50
June 22, 2021	Review filing.	0.70
June 23, 2021	Discuss cost of service model with E. Cromleigh.	0.20
June 28, 2021	Review preliminary order. Call with N. Gordon regarding discovery on Isleta right of way. Review discovery.	0.50
June 29, 2021	Review SOAH Order 2 and procedural schedule.	0.20

5.20

Monthly Recap

Erin Cromleigh

Date	Task	Hours
<i>June 17, 2021</i>	Review filing for jurisdictional and cost of service models.	0.80
<i>June 23, 2021</i>	Save application files and set up case file account. Discuss with K. Nalepa.	0.50
<i>June 30, 2021</i>	Set up cost of service model.	3.20
		4.50

ReSolved Energy Consulting, LLC

11044 Research Blvd, A-420
Austin, TX 78759

Invoice

DATE	INVOICE NUMBER
8/5/2021	4842

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950-1890

PROJECT

NG EPE 21 RC 52195

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa)	4.3	270.00	1,161.00
Consulting (Cromleigh)	9.5	180.00	1,710.00
Total Labor			2,871.00
Work Completed thru - July 31, 2021		TOTAL DUE	\$2,871.00

Monthly Recap

Karl Nalepa

Date	Task	Hours
July 1, 2021	Review and edit draft discovery. Send to N. Gordon.	0.50
July 7, 2021	Review discovery.	0.30
July 8, 2021	Review responses to discovery.	0.50
July 19, 2021	Review 45 day update.	0.30
July 20, 2021	Review responses to discovery. Work on analysis.	1.00
July 27, 2021	Review discovery and responses to discovery.	1.20
July 28, 2021	Work on analysis.	0.50

4.30

Monthly Recap

Erin Cromleigh

Date	Task	Hours
July 1, 2021	Set up COS model.	2.30
July 6, 2021	Set up COS model.	4.20
July 7, 2021	Set up COS model and test with EPE schedules.	3.00
		9.50

ReSolved Energy Consulting, LLC

11044 Research Blvd, A-420
Austin, TX 78759

Invoice

DATE	INVOICE NUMBER
9/8/2021	4862

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950-1890

PROJECT

NG EPE 21 RC 52195

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa)	5.5	270.00	1,485.00
Consulting (Cromleigh)	3.5	180.00	630.00
Total Labor			2,115.00
Work Completed thru - August 31, 2021	TOTAL DUE		\$2,115.00

Monthly Recap

Karl Nalepa

Date	Task	Hours
August 2, 2021	Call with N. Gordon to discuss responses to discovery.	0.20
August 3, 2021	Compile and send jurisdictional models to D. Lawton.	0.30
August 6, 2021	Call with N. Gordon to discuss responses to discovery.	0.20
August 12, 2021	Review responses to discovery.	0.50
August 18, 2021	Call with D. Lawton regarding jurisdictional allocations.	0.30
August 20, 2021	Review responses to discovery.	0.50
August 25, 2021	Work on cost allocation issues. Discuss allocation factors with E. Cromleigh.	1.50
August 26, 2021	Work on cost allocation issues. Prepare cost allocation discovery and send to N. Gordon for review. Call with D. Lawton to discuss.	1.20
August 30, 2021	Review supplemental testimony. Review Staff discovery. Emails with D. Lawton regarding jurisdictional allocation factors.	0.80

5.50

Monthly Recap

Erin Cromleigh

Date	Task	Hours
August 11, 2021	Review EPE model and confirm whether EPE provided an updated model.	1.00
August 24, 2021	Review application and model for support for jurisdictional allocators.	1.70
August 30, 2021	Review model to identify hard coded information.	0.80

3.50

ReSolved Energy Consulting, LLC

11044 Research Blvd, A-420
Austin, TX 78759

Invoice

DATE	INVOICE NUMBER
10/7/2021	4881

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950-1890

PROJECT

NG EPE 21 RC 52195

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa)	4.6	270.00	1,242.00
Consulting (Cromleigh)	3	180.00	540.00
Total Labor			1,782.00
Work Completed thru - September 30, 2021		TOTAL DUE	\$1,782.00

Monthly Recap

Karl Nalepa

Date	Task	Hours
September 2, 2021	Review responses to discovery.	0.30
September 7, 2021	Review responses to discovery.	0.50
September 9, 2021	Review and edit draft discovery. Send to N. Gordon for review.	0.70
September 10, 2021	Review responses to discovery.	0.20
September 15, 2021	Work with E. Cromleigh to calculate impact of revised jurisdictional allocation factors in COS model.	1.00
September 17, 2021	Send results of revised jurisdictional allocators to D. Lawton. Review responses to discovery.	0.30
September 20, 2021	Review responses to discovery.	0.50
September 23, 2021	Review responses to discovery.	0.30
September 29, 2021	Call with C. Johnson to discuss cost allocation adjustments. Review model.	0.80

4.60

Monthly Recap

Erin Cromleigh

Date	Task	Hours
September 15, 2021	Work with K. Nalepa to revise Jurisdictional allocations in COS model.	1.20
September 21, 2021	Review RFI responses regarding COS model.	1.80
		3.00

CJ Energy Consulting
Clarence Johnson

CLARENCE JOHNSON
CJ ENERGY CONSULTING
3707 ROBINSON AVENUE
AUSTIN, TX 78722
512-506-1896
OCTOBER 1, 2021

INVOICE 1

RE: PUC DOCKET NO. 52195, EL PASO ELECTRIC CO.

TO: City of El Paso Attn: Office of the City Attorney

P.O. Box 1890 El Paso, TX 79950-1890

FROM: Clarence Johnson

Pursuant to our agreement in the above-referenced matter, I have enclosed a billing for services through September, 2021. The total billing is \$12,804. The hourly rate for expert services is \$220 per hour. Details for the billing are shown on the subsequent attached page. Thanks.

Enclosure

Attachment: Details for Billing Through September 2021

Date	Activity	Hours
10-Jul	Review Rate Filing Package testimony, data	2.5
25-Jul	Review discovery information	1.2
5-Aug	Review discovery information and EPE testimony	1.5
19-Aug	Conference call w/N. Gordon, D. Lawton	1.2
20-Aug	Test EPE regulatory model	1
24-Aug	Prepare RFI set	4
25-Aug	Analyze RFP allocation factors	2.7
27-Aug	Review discovery data	1.2
30-Aug	Perform spreadsheet analysis of allocation factors	3.7
2-Sep	Perform analysis; input to regulatory model	3.5
5-Sep	Review discovery data	1.2
6-Sep	Perform analysis; input to regulatory model	1.2
7-Sep	Perform research on rate case issues	0.7
8-Sep	Prepare discovery and submit to N. Gordon	1.5
11-Sep	Perform analysis; input to regulatory model	4
15-Sep	Prepare discovery and submit to N. Gordon	3
17-Sep	Review discovery data and spreadsheets	1.2
19-Sep	Prepare discovery; submit to N. Gordon	2.7
20-Sep	Perform analysis; input to regulatory model	2.5
24-Sep	Prepare additional adjustment to regulatory model	3.2
25-Sep	Write direct testimony	4
26-Sep	Write direct testimony	2.5
28-Sep	Review, analysis of Schedule Q-7 workpapers	3
29-Sep	Write direct testimony	1.5
30-Sep	Review, analysis of interruptible rate issues	3.5
Hours Thru September 2021		58.2
Times \$220 per hour		220
Total		\$12,804

APPROVED FOR PAYMENT

Legal Department

DEPARTMENT

Manuel Arambula

PRINT NAME

Manuel Arambula

SIGNATURE

10/13/2021

915-212-0033

DATE

PHONE #

From: Clarence L. Johnson
To: EP City Attorney - Accounts Payable
Subject: Invoice-Docket 52195, EPE
Date: Friday, October 1, 2021 5:07:58 PM
Attachments: Invoice 1-EPE Rate Case.docx

 You don't often get email from cjenergyconsult@att.net. [Learn why this is important](#)

Attached is an invoice for expert testimony activities in the referenced rate case. Thanks.

Sent from Mail for Windows 10

Clarence L. Johnson

CJ Energy Consulting

Cjenergyconsult@att.net

Daniel Lawton

PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 52195
APPLICATION OF EL PASO ELECTRIC COMPANY TO CHANGE RATES §
§
§ **BEFORE THE**
PUBLIC UTILITY COMMISSION
OF TEXAS

RATE CASE EXPENSE AFFIDAVIT OF DANIEL LAWTON
PROVIDING ACTUAL EXPENSES THROUGH SEPTEMBER 30, 2020 AND ESTIMATED
EXPENSES THROUGH COMPLETION OF THE PROCEEDING

I, Daniel J. Lawton, state the following facts upon my oath.

1. My name is Daniel J. Lawton. I am over eighteen years of age and am not disqualified from making this affidavit.
2. I am the owner of the Lawton Law Firm, P.C. My business address is 12600 Hill Country Blvd., Suite R-275, Austin Texas 78738. I have been retained by the City of El Paso to provide expert testimony and analyses on cost of capital and allocation issues in this rate proceeding filed by El Paso Electric Company ("EPE" or "Company"), Docket No. 52195.
3. I am giving this affidavit to address the necessity for and reasonableness of my actual fees related charges through September 30, 2020 and estimated expenses through completion of this case.
4. My billing rate is \$250 per hour. This is my normal billing rate that I charge for rate case consulting services. This rate is reasonable for a consultant providing these types of services before utility regulatory agencies in Texas and around the country. The hourly rate is especially reasonable given I have more than 35 years of utility rate regulatory experience.
5. I have included in the following table a summary of hours billed to date, actual charges to date, along with estimates to complete the case.

ACTUAL AND ESTIMATED RATE CASE EXPENSES FOR DANIEL LAWTON

MONTH	HOURS	CHARGES
JULY 2021	97.1 Hrs	\$24,275.00
AUGUST 2021	61.3 Hrs	\$15,325.00
SEPTEMBER 2021	44.0 Hrs	\$11,000.00
TOTAL ACTUAL TO DATE	202.4 Hrs	\$50,600.00
ESTIMATE TO COMPLETE	60 Hrs	\$15,000.00
TOTAL ACTUAL & ESTIMATE	262.4 Hrs	\$65,600.00

6. As shown in the above table I have billed a total of 202.4 hours through September 30, 2021 in Docket No. 52195 for the time spent reviewing and analyzing the issues in this case and preparing

testimony and analysis on the issues of cost of capital and jurisdictional allocation. An additional 60 hours are estimated to complete necessary tasks through the end of this proceeding. These estimated hours are for the time I estimate working on the case for review of parties' testimony, review of Company rebuttal, and preparation for final hearings and testimony.

7. I have reviewed the actual invoices and there have been no duplicate billings, no billings exceeding 12 hours per day, no out-of-pocket expenses have been billed and as such there are no billings for alcohol or extravagant items such as expensive meals, lodging, or transportation services.
8. Based on my experience relating to analysis of rate proceeding matters and the reasonableness of rate case expenses before the Public Utility Commission of Texas, I conclude that: (1) my hourly rate is very reasonable; and (2) the actual hours and estimate of additional hours in this case are both necessary and reasonable.
9. I have attached the actual invoices through September 30, 2021.
10. Based on my experience, this is a reasonable estimate. The statements made in this affidavit are true and correct.

Daniel J. Lawton

SUBSCRIBED AND SWORN to before me, the undersigned authority, on the ____th day of October, 2021 by Daniel J. Lawton.

Notary Public, State of _____
My Commission Expires: _____

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

August 9, 2021

Sent Via email: EPCityAttorney-AccountsPayable@elpasotexas.gov

City of El Paso
Attn: Office of the City Attorney
P.O. Box 1890
El Paso, TX. 79950-1890

Re: Invoice for July 2021 Services -PUC Docket No. 52195; Application of El Paso Electric Company to Change Rates

To City of El Paso City Attorney and Accounts Payable Office:

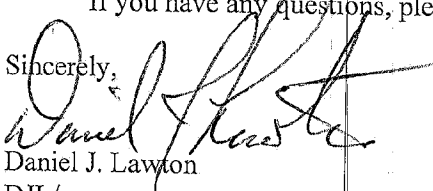
Attached please find an invoice for services in the above-referenced matter for the month of July 2021. The services are related to the El Paso Electric Company ("EPE" or "Company") rate increase request in PUC Docket No. 52195 designated as Application of El Paso Electric Company to Change Rates. In this case the Company proposes a \$69.7 million annual Texas retail base rate (non-fuel) increase. The percentage impact of the proposed increase is about 13.5%. The resulting net increase after accounting for the \$27.9 million amount already being collected through the transmission ("TCRF") and distribution ("DCRF") interim rate mechanisms is about \$41.8 million or 7.79% increase.

In this proceeding EPE seeks a Commission Order authorizing a 10.3% profit level and a 51% equity capitalization for the Company. Also as part of this case the Company proposes to specifically assign certain generation facilities (solar) to New Mexico and Texas for purposes of identifying costs between the Texas and New Mexico jurisdictions.

Tasks in this matter for July 2021 entailed the review of the Company's Application and witness testimony, develop discovery, evaluation of potential case issues, begin modeling and analysis of cost of capital issues.

If you have any questions, please call.

Sincerely,



Daniel J. Lawton

DJL/

Enclosures

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

Invoice for July 2021 Services -PUC Docket No. 52195; Application of El Paso Electric Company to Change Rates

Daniel Lawton	97.1 Hrs	\$250.00	\$24,275.00
Total Fees			\$24,275.00
EXPENSES:			
Total Fees and Expenses			\$24,275.00

* Please see attachment {Attachment Letter}

THE LAWTON LAW FIRM, P.C.

**Invoice for July 2021 Services -PUC Docket No. 52195; Application of El Paso
Electric Company to Change Rates**

Daniel Lawton

7/1/21	6.0 Hrs		Analysis of Company filing		
7/2/21	5.5 Hrs		Analysis of Company filing and identify issues		
7/7/21	5.5 Hrs		Analysis of Company filing and identify issues		
7/8/21	4.3 Hrs		Analysis of Company filing and identify issues		
7/9/21	8.2 Hrs		Analysis of Company filing and identify issues; summary of issues to model & investigate		
7/12/21	3.5 Hrs		Develop discovery related to Jurisdictional allocation		
7/13/21	7.5 Hrs		Analysis of financial issues, financial data research, alternative modeling analysis		
7/15/21	7.5 Hrs		Analysis of financial issues, financial data research, alternative modeling analysis		
7/16/21	5.3 Hrs		Analysis of financial issues, financial data research, alternative modeling analysis		
7/20/21	7.0 Hrs		Analysis of financial issues, financial data research, alternative modeling analysis		
7/21/21	6.0 Hrs		Outline testimony issues and drafting ROE analysis		
7/22/21	7.0 Hrs		Outline testimony issues and drafting ROE analysis and		
7/27/21	7.0 Hrs		Outline testimony issues and drafting ROE analysis		
7/29/21	6.5 Hrs		Outline testimony issues and drafting ROE analysis, analysis of jurisdictional allocation		
7/30/21	7.0 Hrs		analysis of jurisdictional allocation		
7/31/21	3.5 Hrs		Summary of analysis and added data requirements		
Total Hours	97.1 Hrs				

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

September 9, 2021

Sent Via email: EPCityAttorney-AccountsPayable@elpasotexas.gov

VENDOR # 1000058818

INVOICE NO. 992021

City of El Paso
Attn: Office of the City Attorney
P.O. Box 1890
El Paso, TX. 79950-1890

Re: Invoice for August 2021 Services -PUC Docket No. 52195; Application of El Paso Electric Company to Change Rates

To City of El Paso City Attorney and Accounts Payable Office:

Attached please find an invoice for services in the above-referenced matter for the month of August 2021. The services are related to the El Paso Electric Company ("EPE" or "Company") rate increase request in PUC Docket No. 52195 designated as Application of El Paso Electric Company to Change Rates. In this case the Company proposes a \$69.7 million annual Texas retail base rate (non-fuel) increase. The percentage impact of the proposed increase is about 13.5%. The resulting net increase after accounting for the \$27.9 million amount already being collected through the transmission ("TCRF") and distribution ("DCRF") interim rate mechanisms is about \$41.8 million or 7.79% increase.

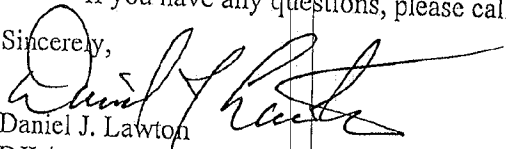
In this proceeding EPE seeks a Commission Order authorizing a 10.3% profit level and a 51% equity capitalization for the Company. Also, as part of this case the Company proposes to specifically assign certain generation facilities (solar) to New Mexico and Texas for purposes of identifying costs between the Texas and New Mexico jurisdictions.

Tasks in this matter for August 2021 entailed the continued review of the Company's Application and witness testimony, review discovery, continued evaluation of potential case issues, continued modeling and analysis of cost of capital issues, and development of jurisdictional

allocation issues.

If you have any questions, please call.

Sincerely,


Daniel J. Lawton

DJL/

Enclosures

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

**Invoice for August 2021 Services -PUC Docket No. 52195; Application of El Paso Electric
Company to Change Rates**

Daniel Lawton	61.3 Hrs	\$250.00	\$15,325.00
Total Fees			\$15,325.00
EXPENSES:			
Total Fees and Expenses			\$15,325.00

* Please see attachment {Attachment Letter}

THE LAWTON LAW FIRM, P.C.

Invoice for August 2021 Services -PUC Docket No. 52195; Application of El Paso Electric Company to Change Rates

Daniel Lawton

8/3/21	5.4 Hrs	Review data, discovery, and prior case information on jurisdictional allocation
8/5/21	5.5 Hrs	Review data, discovery, and prior case information on jurisdictional allocation
8/9/21	4.5 Hrs	Review impacts of COVID-19 on load/ allocation issues
8/11/21	4.3 Hrs	Analysis of issues and discovery
8/12/21	6.2 Hrs	Continue review impacts of COVID-19 on load/ allocation issues, research impact of load shifting
8/13/21	3.5 Hrs	Continue review impacts of COVID-19 on load/ allocation issues, research impact of load shifting
8/16/21	2.5 Hrs	Continue analysis of financial issues, financial data research, modeling
8/17/21	7.5 Hrs	Continue analysis of financial issues, financial data research, update modeling analysis
8/19/21	5.3 Hrs	Quantification of allocation issues/ jurisdictional and overall class allocator load shifts
8/26/21	6.3 Hrs	Quantification of allocation issues/ jurisdictional and overall class allocator load shifts w/ review of EPE study of 2020 COVID-19 load impacts
8/27/21	5.0 Hrs	Draft testimony outlines on issues for responsive testimony to Nelson on ROE models and start jurisdictional allocation adjustments
8/30/21	5.3 Hrs	Continue drafting testimony outlines on issues for responsive testimony to Nelson on ROE models and quantify specific assignment of solar facilities jurisdictional allocation adjustments
Total Hours	61.3 Hrs	

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

October 9, 2021

Sent Via email: EPCityAttorney-AccountsPayable@elpasotexas.gov

VENDOR # 1000058818

INVOICE NO. 1092021

City of El Paso
Attn: Office of the City Attorney
P.O. Box 1890
El Paso, TX. 79950-1890

Re: Invoice for September 2021 Services -PUC Docket No. 52195; Application of El Paso Electric Company to Change Rates

To City of El Paso City Attorney and Accounts Payable Office:

Attached please find an invoice for services in the above-referenced matter for the month of September 2021. The services are related to the El Paso Electric Company ("EPE" or "Company") rate increase request in PUC Docket No. 52195 designated as Application of El Paso Electric Company to Change Rates. In this case the Company proposes a \$69.7 million annual Texas retail base rate (non-fuel) increase. The percentage impact of the proposed increase is about 13.5%. The resulting net increase after accounting for the \$27.9 million amount already being collected through the transmission ("TCRF") and distribution ("DCRF") interim rate mechanisms is about \$41.8 million or 7.79% increase.

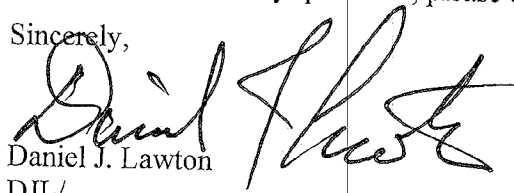
In this proceeding EPE seeks a Commission Order authorizing a 10.3% profit level and a 51% equity capitalization for the Company. Also, as part of this case the Company proposes to specifically assign certain generation facilities (solar) to New Mexico and Texas for purposes of identifying costs between the Texas and New Mexico jurisdictions.

Tasks in this matter for September 2021 entailed the continued review of the Company's Application and witness testimony, review discovery, continued evaluation of case issues, continued modeling and analysis of cost of capital issues, development of jurisdictional allocation

issues, drafting testimony and schedules for filing.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Lawton". The signature is fluid and cursive, with the first name "Daniel" and last name "Lawton" clearly distinguishable.

Daniel J. Lawton

DJL/

Enclosures

THE LAWTON LAW FIRM, P.C.

12600 Hill Country Blvd., Suite R-275 • Austin, Texas 78738 • 512/322-0019 • Fax: 512/329-2604

Invoice for September 2021 Services -PUC Docket No. 52195; Application of El Paso Electric Company to Change Rates

Daniel Lawton	44.0 Hrs	\$250.00	\$11,000.00
Total Fees			\$11,000.00
EXPENSES:			
Total Fees and Expenses			\$11,000.00

* Please see attachment {Attachment Letter}

THE LAWTON LAW FIRM, P.C.

Invoice for September 2021 Services -PUC Docket No. 52195; Application of El Paso Electric Company to Change Rates

Daniel Lawton

9/2/21	2.5 Hrs		Review data, discovery, and prior case information on jurisdictional allocation
9/6/21	3.5 Hrs		Review data, and model impact of alternative period for jurisdictional allocation estimate Covid-19 influence
9/7/21	3.5 Hrs		Analysis of allocation impacts and quantification
9/8/21	3.0 Hrs		Update schedules for new data
9/10/21	2.5 Hrs		Summary of issues in testimony and outline for testimony
9/14/21	3.5 Hrs		Research ROE changes across the country
9/16/21	2.5 Hrs		Analysis of financial issues, financial data research, modeling
9/17/21	3.5 Hrs		Begin to draft testimony and schedules
9/20/21	4.0 Hrs		Continue to draft testimony and schedules
9/21/21	4.0 Hrs		Continue to draft testimony and schedules
9/22/21	4.0 Hrs		Continue to draft testimony and schedules
9/23/21	4.0 Hrs		Continue to draft testimony and schedules
9/24/21	3.5 Hrs		Finalize draft & schedules provide to counsel
Total Hours	44.0 Hrs		

Garrett Group Consulting, Inc.
Mark Garrett & Associates

GARRETT GROUP CONSULTING, INC.
4028 OAKDALE FARM CIRCLE
EDMOND, OK 73013

TELEPHONE (405) 239-2226

E-MAIL: MGARRETT@GARRETTGROUPLLC.COM

September 10, 2021

City of El Paso
Attn: Office of the City Attorney
P.O. Box 1890
El Paso, TX 79950-1890

RE: *El Paso Electric Co., PUC Docket No. 52195*
Garrett Group Consulting, Inc. TIN: 83-2450199

Dear Manny:

Our invoice for professional services for June - August 2021 in connection with the above-referenced case follows:

I. Professional Services:

A.	Mark Garrett, JD, CPA —	60.5 hours at \$270.00 per hour	\$16,335.00
	<i>(Details in Attachment A)</i>		
B.	Ed Farrar, CPA —	40.0 hours at \$150.00 per hour	\$6,000.00
	<i>(Details in Attachment B)</i>		
C.	Heather Garrett, JD, CPA —	15.5 hours at \$200.00 per hour	\$3,100.00
	<i>(Details in Attachment C)</i>		

II. Expenses:

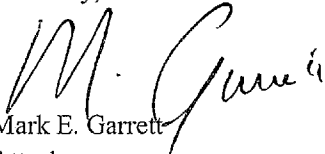
Contractual charge-routine expenses	<u>\$1,017.40</u>
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III. Total Invoice:

\$26,452.40

We appreciate the opportunity to work with you on this case. Please call me if you should have any questions.

Sincerely,


Mark E. Garrett
Attachments

Attachment A

Mark Garrett

*Consulting Tasks for***El Paso PUC Docket No. 52195***Billing Period: June - August 2021*

Dates	Tasks	Hours
6/2/2021	Correspondence with counsel;	0.5
6/5/2021	Review application, testimony and exhibits;	2.5
6/20/2021	Review testimony and exhibits; correspondence with counsel;	2.0
6/22/2021	Review testimony and exhibits; correspondence with counsel;	2.0
6/23/2021	Review testimony and exhibits;	2.5
6/24/2021	Review testimony and exhibits;	2.0
6/25/2021	Review discovery; review correspondence with counsel;	2.5
6/26/2021	Review testimony and exhibits;	3.0
7/2/2021	Telephone conference with counsel; review correspondence;	2.0
7/3/2021	Review correspondence from counsel; review workpapers;	2.0
7/5/2021	Review discovery	2.5
7/7/2021	Review testimony and workpapers; review discovery;	2.0
7/8/2021	Review testimony and workpapers; review discovery;	1.5
7/14/2021	Correspondence with counsel;	1.0
7/15/2021	Review testimony and workpapers; review discovery;	2.0
7/16/2021	Review testimony and workpapers; review discovery;	2.0
7/17/2021	Review testimony and workpapers; review discovery;	4.0
7/19/2021	Review testimony and exhibits, work on discovery responses	2.0
7/26/2021	Review testimony and schedules;	4.0
7/30/2021	Review testimony and schedules;	3.0
8/3/2021	Review testimony and exhibits;	3.5
8/8/2021	Review testimony and exhibits; perform analysis	4.0
8/10/2021	Review testimony and exhibits; perform analysis	1.5
8/17/2021	Correspondence with counsel; work on discovery	2.0
8/20/2021	Review testimony and exhibits, correspondence with counsel;	2.0
8/26/2021	Review supplemental testimony and exhibits;	2.5
	Totals	60.5

Attachment B

Ed Farrar

Consulting Tasks for
El Paso PUC Docket No. 52195
Billing Period: June - August 2021

Dates	Tasks	Hours
6/23/2021	Review Application, testimony and exhibits;	2.0
6/24/2021	Review testimony and exhibits;	4.0
6/25/2021	Review testimony and exhibits, draft discovery;	4.0
7/2/2021	Review discovery; review correspondence with counsel;	4.0
8/12/2021	Review discovery;	3.0
8/18/2021	Review testimony and exhibits;	2.0
8/19/2021	Review workpapers; draft discovery;	6.0
8/20/2021	Review testimony and workpapers; draft discovery;	6.0
8/21/2021	Review testimony and workpapers; perform analysis;	9.0
	Totals	40.0

Attachment C
Heather Garrett

Consulting Tasks for
El Paso PUC Docket No. 52195
Billing Period: June - August 2021

Dates	Tasks	Hours
7/1/2021	Review testimony and exhibits, draft discovery;	4.0
7/2/2021	Review discovery; review correspondence with counsel;	4.0
8/12/2021	Review testimony and exhibits, review discovery;	3.5
8/13/2021	Review testimony and exhibits;	2.0
8/18/2021	Review testimony and exhibits;	2.0
	Totals	15.5

From: [Heather Garrett](#)
To: [EP City Attorney - Accounts Payable](#); [Engelbaum, Frances M.](#)
Cc: [mgarrett_garrettgroupllc.com](#)
Subject: FW: El Paso Electric DN 52195 - Sept 2021 Invoice
Date: Friday, October 8, 2021 12:06:40 PM
Attachments: [EPE DN 52195; June-Aug 2021.pdf](#)
[El Paso Electric PUC Docket No. 52195 Sept 2021.pdf](#)

 You don't often get email from hgarrett@garrettgroupllc.com. [Learn why this is important](#)

I am forwarding these two invoices (Jun-Aug 2021) and (Sept 2021) per the instructions of Manny Arambula (see email below). I appreciate your help on this. Please contact me if you need anything further in processing these invoices.

Best regards,
Heather

From: Heather Garrett
Sent: Wednesday, October 6, 2021 9:23 AM
To: Arambula, Manuel <ArambulaM1@elpasotexas.gov>
Subject: RE: El Paso Electric DN 52195 - Sept 2021 Invoice

Manny,

Much appreciated. I will send the invoices to the Accounts Payable email and to Ms. Engelbaum.

Best regards,
Heather

From: Arambula, Manuel <ArambulaM1@elpasotexas.gov>
Sent: Wednesday, October 6, 2021 9:13 AM
To: Heather Garrett <hgarrett@garrettgroupllc.com>
Cc: EP City Attorney - Accounts Payable <EPCityAttorney-AccountsPayable@elpasotexas.gov>; Engelbaum, Frances M. <EngelbaumFM@elpasotexas.gov>
Subject: FW: El Paso Electric DN 52195 - Sept 2021 Invoice

Heather,

Thank you for remitting your invoices. When sending them to the City you are, of course, welcome to CC them to me, but they must be sent to the Accounts Payable email address for immediate processing. I would also recommend that you CC them to Frances Engelbaum who is also a member of the Utilities team so that, if you need, you can ask her any questions if I should be unavailable. Sincerely,