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**SOAH DOCKET NO. 473-21-2606
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APPLICATION OF EL PASO	§	BEFORE THE STATE OFFICE
ELECTRIC COMPANY TO CHANGE	§	OF
RATES	§	ADMINISTRATIVE HEARINGS

**THE RATE 41 GROUP’S FIRST REQUEST FOR INFORMATION
TO CITY OF EL PASO**

COME NOW Anthony Independent School District, Canutillo Independent School District, Clint Independent School District, El Paso County, El Paso County Community College District, El Paso County Housing Authority, El Paso Independent School District, Fabens Independent School District, Housing Authority of the City of El Paso, Region 19 Education Service Center, San Elizario Independent School District, Socorro Independent School District, Tornillo Independent School District, and Ysleta Independent School District (collectively, the “Rate 41 Group”), by and through its attorneys of record, and request that the City of El Paso (“CEP”) provide information and answer the attached questions under oath within the time provided by law. It is further requested that the questions be answered in the order in which they are asked with as much detail so as to fully present all of the relevant facts.

INSTRUCTIONS

Please answer the attached questions on separate pages and copy the question immediately above the answer to each question. Following each answer, please identify the person who prepared the answer and the witness or witnesses who will sponsor each of your answers at the hearing in the above-referenced dockets. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced. These requests are continuing in nature and, should there be a change in circumstances which would modify or change any of your answers, then, in such case, please immediately change or modify each answer and submit such changed answer as a supplement to the original answer pursuant to 16 TAC § 22.144(i).

In answering this request for information, you are requested to furnish such information as is available to you, including information which you are able to obtain by due diligence from your

present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on your behalf.

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

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

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

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

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

“Concerning” means constituting, arising out of, incident to, referring to, mentioning, bearing upon, reflecting, evidencing, affecting, concerning or relating in any manner to the transaction, communication, document, individual, entry, act, object, conference, activity or thing identified.

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

The words “communication” and “communications” include, without limitation of their generality, both written and oral: statements, representations, discussions, conversations, speeches, meetings, remarks, questions, answers, panel discussions and symposia. These words include, without limitation of their generality, both communications and statements which are face-to-face

and those which are transmitted by any writing or document or by media such as intercoms, telephones, email, television or radio.

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

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

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

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

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

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

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

- (1) its date;
- (2) its author;
- (3) its addressee;
- (4) the type of document (e.g., letter, memorandum, receipt, invoice, schedule, report, telegram, chart, photograph, etc.); and

- (5) its present location and identity of its custodian. If any document was, but is no longer, in your possession, custody, or control, or is no longer in existence, explain why.

If any of the foregoing information is not available, state any other available means of identifying such document. If a document is one of a series of pages contained in a book, pamphlet, binder, folder, microfilm (or other storage device), include in your identification of such document(s) any available numerical reference (or other aid) to the pages and line or other portion thereof at which the information referred to can be found. A true and correct copy of any document may be produced and filed with your Answers hereto in lieu of the above information.

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

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

The words “person” and “persons” as used herein, mean all individuals and entities, and shall be deemed to include natural persons, firms, partnerships, associations, organizations, joint ventures, corporations, and any other entities, including without limitation, any electric utility, cogenerator, independent power producer, qualifying facility, or any other entity which generates electricity.

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

The term “Commission” refers to the Public Utility Commission of Texas.

The term “Intervenor” shall refer to the City of El Paso (“CEP”).

The words “you,” and “your” means Intervenor (CEP) and any person acting or purporting to act on Intervenors behalf, including without limitation, Intervenor’s attorneys, agents, advisors, investigators, representatives, employees or other persons.

If you have any question concerning the attached requests or any of these instructions, please contact the undersigned.

If the information requested may be derived from publicly available sources, your response may simply provide the location or means of obtaining the information. If you have already produced any requested information in this case, please list the request in which the information was provided, or contact the undersigned to discuss whether it may be possible to withdraw the request.

Respectfully submitted,

By: /s/ Maria Faconti

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**ANTHONY INDEPENDENT SCHOOL DISTRICT
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CLINT INDEPENDENT SCHOOL DISTRICT
EL PASO COUNTY
EL PASO COUNTY COMMUNITY COLLEGE DISTRICT
EL PASO COUNTY HOUSING AUTHORITY
EL PASO INDEPENDENT SCHOOL DISTRICT
FABENS INDEPENDENT SCHOOL DISTRICT
HOUSING AUTHORITY OF THE CITY OF EL PASO
REGION 19 EDUCATION SERVICE CENTER
SAN ELIZARIO INDEPENDENT SCHOOL DISTRICT
SOCORRO INDEPENDENT SCHOOL DISTRICT
TORNILLO INDEPENDENT SCHOOL DISTRICT
YSLETA INDEPENDENT SCHOOL DISTRICT**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to all parties of record via electronic mail on the 5th day of November 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Maria Faconti

Maria Faconti

**RATE 41 GROUP'S
FIRST REQUEST FOR INFORMATION
TO THE CITY OF EL PASO ("CEP")**

- 1-1. Please provide a working copy of the Excel file, with all formulas and links intact, used to create the following tables from the direct testimony of CEP witness Clarence Johnson. Include working computer file copies of all linked files and all workpapers used to create the following tables.
 - a) Table (Divergent Results: 2017 vs. 2021 CCOS), page 38
 - b) Table (Incremental Generation Capacity Cost), page 44
 - c) Table (Interruptible Demand Charge), pages 47-48
 - d) Table (Bill Increase Impacts at Different Summer Usage Levels), page 59
 - e) Table (Revised Differentials), page 61
- 1-2. Please provide a working copy of the Excel file, with all formulas and links intact, used to create Attachment B - Adjustments to Demand and Energy Factors for COVID on bates pages 83-88 of the direct testimony of CEP witness Clarence Johnson. Include working computer file copies of all linked files and all workpapers used to create Attachment B - Adjustments to Demand and Energy Factors for COVID.
- 1-3. Please provide a working copy of the Excel file, with all formulas and links intact, used to create the following schedules from the direct testimony of CEP witness Clarence Johnson. Include working computer file copies of all linked files and all workpapers used to create the following schedules.
 - a) Schedule CJ-1 -Rebilled Interruptible Revenues, bates page 89
 - b) Schedule CJ-2- EPE's EEP Revenue Adjustment, bates page 90
 - c) Schedule CJ-3- Adjusted CCOS With Company Revenue Increase, bates page 91
 - d) Schedule CJ-4 -Adjusted CCOS With Recommended Revenue Requirement, bates page 92
 - e) Schedule CJ-5-Recommended Revenue Change at Company Revenue Increase, bates page 93
 - f) Schedule CJ-6-Recommended Revenue Requirement and Revenue Distribution, bates page 94
 - g) Schedule CJ-7-Incremental Generation Capacity Cost, bates page 95
 - h) Schedule CJ-9-Comparison of Customer Charge Rates, bates page 97
 - i) Schedule CJ-10-Residential Customer Costs, bates page 98
 - j) Schedule CJ-11-Revised Residential Energy Differentials, bates page 99