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

**CITY OF EL PASO’S FIRST REQUESTS FOR INFORMATION
TO TEXAS INDUSTRIAL ENERGY CONSUMERS
QUESTIONS CEP-TIEC-1-1 THROUGH CEP-TIEC 1-8**

The City of El Paso (the “City”) requests that the Texas Industrial Energy Consumers (“TIEC) provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within five (5) business days. Please copy the question immediately above the answer to each question. The question(s) are continuing in nature, and if there is a relevant change in circumstances, such as that new or additional information or review reveals that an answer previously made is no longer complete or is inaccurate, that TIEC submit an amended answer, under oath, as a supplement to your original answer within five days of the discovery of new or additional information. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

The City requests that TIEC serve its respective responses to this Request on the following person via electronic mail and delivery of hard copies:

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DEFINITIONS AND INSTRUCTIONS

1. This Request is directed to The Texas Industrial Energy Consumers ("TIEC"). Reference to TIEC, "**you**" or "**your**" means all divisions, departments, bureaus, agencies, and all witnesses whose testimony TIEC has prefiled or intends to present, and all persons acting or purporting to act for or on behalf of TIEC, including its directors, officers, employees, and agents.

2. The terms "**document**" and "**documents**" are used in their broadest sense and shall mean and include all written, printed, electronic, typed, recorded, or graphic matter of every kind and description, including drafts, originals and copies, and all attachments and appendices thereto. Without limiting the foregoing, the terms "document" or "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time books, time records, instructions, work assignments, financial statements, work sheets, workpapers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultant reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing) and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, electronically-stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made.

3. "**Person**" means any natural person, firm, association, partnership, joint venture, corporation, estate, trust, receiver syndicate, municipal corporation, government agency, any other form of legal entity, and other group or combination acting as a unit.

4. "**Relating to**" a subject means making a statement about, mentioning, referring to, discussing, describing, reflecting, identifying, dealing with, consisting of, constituting or in any way pertaining, in whole or in part, to the subject.

5. "**Identify**" means:

- a. as to a "person," stating his, her or its:
 - (i) legal, full, and customarily used names;
 - (ii) present residential or business address;
 - (iii) job title; and
 - (iv) name of employer.
- b. as to a document, act, event, transaction or occurrence, stating:
 - (i) its date, authors or participants;
 - (ii) the place where it took place, was created or occurred;
 - (iii) its purpose and subject matter; and

(iv) a concise description of what transpired.

6. For each response, please state the Request for Information and identify the individual(s) responsible for preparing and sponsoring the response by name and title.

7. Pursuant to Rule 196.4, Texas Rules of Civil Procedure, any electronic or magnetic data included in the definition of document should be produced on a CD-ROM or similar media that is compatible with Microsoft Office software.

8. For each document produced that is generated by computer, please identify:

- a. the nature and source of the data constituting the input;
- b. the form of the input (e.g., tapes, punch cards);
- c. the recording system employed (e.g., program, flow charts); and
- d. the person(s) responsible for processing the input and/or performing the programming.

9. “**Each**” shall be construed to include the word “**every**” and “**every**” shall be construed to include the word “**each**”.

10. “**Any**” shall be construed to include “**all**” and “**all**” shall be construed to include “**any**.”

11. The terms “**and**” and “**or**” shall be construed as either disjunctive or conjunctive as necessary to make this request inclusive rather than exclusive.

12. The term “**concerning**” includes the following meanings: relating to; pertaining to; regarding; discussion; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically, or factually connected to the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

13. The term “**including**” means and refers to “including but not limited to.”

14. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.

15. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

Dated November 8, 2021

Respectfully submitted,

Norman J. Gordon (ngordon@ngordonlaw.com)

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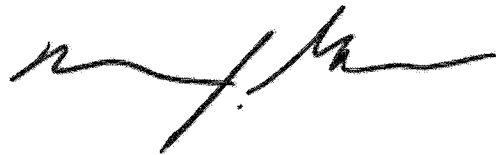
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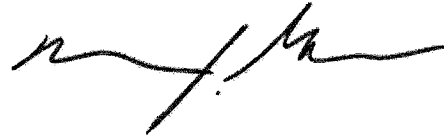


By: _____

Norman J. Gordon

Certificate of Service

I certify that a true and correct copy of this document was served by e-mail and/or US mail on all parties of record in this proceeding on November 8, 2021.

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

Norman J. Gordon

PUC Docket No. 52195
City of El Paso's RFIs to Commission TIEC
Questions CEP – TIEC 1-1---CEP-TIEC 1 -8

The Following Questions pertain to the testimony of Kevin Higgins filed October 22, 2021

- CEP-TIEC 1-1. With respect to the NARUC Cost Allocation Manual's discussion of the Average & Excess method (Higgins at page 20), please confirm that the Manual's description of the Average & Excess method is based upon utilizing non-coincident peak demands rather than coincident peak demands. If the answer is not confirmed, please specify the text of the NARUC Cost Allocation Manual which discusses the use of the Average and Excess method with 4CP inputs.
- CEP-TIEC 1-2. Mr. Higgins contends at page 23 that O&M accounts 519, 520, 523, 22 530, 531, and 532 should be allocated on a demand basis. Please identify any other electric utilities which allocate those accounts to customer classes on the basis of demand.
- CEP-TIEC 1-3. On page 24, Mr. Higgins states that the generation load dispatch allocation approved for the ETI case in footnote 71 is consistent with his recommendation in this case. Please identify specific findings in the Commission order for the ETI proceeding which supports his statement.
- CEP-TIEC 1-4. With respect to EPE's "local" 115 kV transmission lines, please explain Mr. Higgins' understanding as to whether these are radial lines which are installed to serve specific 115 kV customers.
- CEP-TIEC 1-5. With respect to Mr. Higgins' recommendation to exclude 115 kV customers from the allocation of the 69 kV transmission lines, please explain whether he would propose excluding customers taking service below 115 kV in the allocation of 115 kV lines.
- CEP-TIEC 1-6. Based on Mr. Higgins recommendation, what percentage of 115 kV costs would be allocated to customers taking service at 115 kV?
- CEP-TIEC 1-7. With respect to Mr. Higgins' recommended customer allocation of contributions and donations at page 27, is this allocation applied to all expenses in Account 930.2 or only to the contributions and donations included in that account. If it is applicable to only a portion of Account 930.2, please identify the percentage of Account 930.2 which would be allocated on a customer basis.
- CEP-TIEC 1-8. Is the Company's allocation of Account 930.2 on a labor basis consistent with the NARUC Cost Allocation Manual? If no, please explain the basis for the answer.