



Filing Receipt

Received - 2021-11-10 03:50:39 PM
Control Number - 52195
ItemNumber - 362

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

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

**EL PASO ELECTRIC COMPANY’S FIRST REQUEST FOR INFORMATION
TO TEXAS INDUSTRIAL ENERGY CONSUMERS**

El Paso Electric Company (“EPE”) requests that the Texas Industrial Energy Consumers (“TIEC”) answer under oath this First Request for Information (“RFI”), numbered EPE 1-1 through EPE 1-1. The answers should be provided in sufficient detail to present all relevant facts. These requests are deemed to be continuing and require further and supplemental responses from a party if it receives or generates additional information within the scope of these data requests between the time of the original responses and the time of the hearing in this proceeding. These responses are due within five (5) working days of service.

This is a request to fully respond to the attached RFIs and to produce any of the designated documents or tangible things that are described in the attached RFIs. Production of responses to the designated Requests should be made to:

Marvin C. Hutcheson
Manager – Regulatory Case Management
El Paso Electric Company
100 N. Stanton Street
El Paso, Texas 79901
(915) 543-4354
curtis.hutcheson@epelectric.com

Respectfully submitted,

Bret J. Slocum

State Bar No. 18508200

bslocum@dwmrlaw.com

Casey Bell

State Bar No. 24012271

cbell@dwmrlaw.com

Laura B. Kennedy

State Bar No. 24041234

lkennedy@dwmrlaw.com

Duggins Wren Mann & Romero, LLP

P.O. Box 1149

Austin, Texas 78767

(512) 744-9300

(512) 744-9399 (fax)

By: 
Laura Bradshaw Kennedy

**ATTORNEYS FOR EL PASO ELECTRIC
COMPANY**

CERTIFICATE OF SERVICE

A copy of the foregoing document has been served by email upon all parties of record on this November 10, 2021.


Laura Bradshaw Kennedy

DEFINITIONS AND INSTRUCTIONS

1. A reference to “EPE” or the “Company” shall mean El Paso Electric Company.
2. The term “Commission” refers to the Public Utility Commission of Texas.
3. Reference to “you” or “your” means all divisions, departments, bureaus, or agencies of the party served, and all witnesses whose testimony the respective party to which this Request is submitted intends to present to the Public Utility Commission of Texas, and all persons acting or purporting to act for or on behalf of the respective party, including all staff, employees, agents, representatives, attorneys, consultants, economists, engineers, and accountants.
4. “Document” or “documents” is intended to be comprehensive and shall mean every original (or an identical copy if the original is unavailable) and every copy which differs in any way from the original of every writing, recording (e.g., photograph, videotape, audiotape), or other tangible expression, whether handwritten, typed, drawn, sketched, printed, or recorded by any physical, mechanical, electronic, or electrical means whatsoever, and shall be construed to the fullest extent of the Commission Procedural Rules and the Texas Rules of Civil Procedure, and shall include, without limitation 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 meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, financial statements, work sheets, workpapers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants’ 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.

5. “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.
6. “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.
7. The words “communication” or “communications” include any verbal conversations or any other statement from one person to another, including but not limited to, any interview, conference, conversation, discussion, meeting or telephone conversation.
8. “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.
9. “Including” means and refers to “including but not limited to.”
10. Use of the singular or plural word form in a data request is not to be interpreted to exclude information or documents from the scope or intent of the specific request.

11. For each response, please restate the RFI and identify the individual(s) responsible for preparing and sponsoring the response by name and title.
12. 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.
13. If the response to any request is voluminous, please provide a detailed index of the voluminous material, pursuant to 16 TEX. ADMIN. CODE § 22.144(h)(4).
14. If the information requested was included in previously furnished exhibits, schedules, work papers, responses to other discovery inquiries, or otherwise, in hard copy or electronic format, please furnish specific references to the previously furnished materials, including Bates Stamp page citations and detailed cross-references.
15. If, in answering any of these requests, there is any ambiguity in interpreting either the request or a definition or instruction applied thereto, please contact EPE's attorneys, Bret Slocum at (512) 703-4531 or Laura Kennedy at (512) 495-8869.
16. If an RFI calls for production of a document that was, but is no longer, in your possession, or subject to your control, or in existence, state whether it:
 - a. is missing or lost;
 - b. has been destroyed;
 - c. has been transferred, voluntarily or involuntarily to others; or
 - d. has been otherwise disposed of; and in each instance, explain the facts concerning how the document became unavailable; state the date or approximate date of the unavailability; the contents of the document; and the person who authorized the transfer, destruction or other disposition of said document. Documents prepared

prior to, but which relate to or refer to, the time period covered by these RFIs are to be identified.

17. If you decline to respond to any request for information or data on the basis of privilege, please state as to each such request an explanation for the refusal. Identify those documents and communications that are withheld from the response to each specific data request. The identification shall be served within the time specified by the presiding examiner for this proceeding and in accordance with the Rules of the Commission, and shall:
 - a. specify the date of the document, its author(s) (with title and designation if an attorney), and recipients (with title and designation if an attorney);
 - b. contain a brief summary of the subject matter of the document; and
 - c. contain a brief statement of the reason that, in your opinion, the assertion of privilege is justified.

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

EL PASO ELECTRIC COMPANY'S
FIRST REQUEST FOR INFORMATION TO TIEC

EPE 1-1 Please have TIEC witness Kevin C. Higgins provide the number of customers that would take service under Rate 25 and what current rate schedule they would transfer from if El Paso Electric Company were to accept his tariff language recommendation.