



## Filing Receipt

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

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

**OFFICE OF PUBLIC UTILITY COUNSEL’S**  
**THIRTEENTH REQUEST FOR INFORMATION TO**  
**EL PASO ELECTRIC COMPANY**

Pursuant to 16 Texas Administrative Code (“TAC”) § 22.144, the Office of Public Utility Counsel (“OPUC”) submits this Thirteenth Request for Information to El Paso Electric Company (“EPE”). OPUC requests that EPE provide answers to the request for information under oath as required by 16 TAC § 22.144(c)(2)(F) within the timeframe specified in the procedural schedule in this proceeding. OPUC further requests that EPE provide an answer to the questions and sub-questions in the order listed below with sufficient detailed information to provide a complete and accurate answer to each question and sub-question.

**Definitions**

1. “EPE,” the “Company,” “Applicant,” “You,” and “Your” refer to El Paso Electric Company and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
2. “Document” and “documents” include any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tape, film, electronic facsimile, computer storage device, or any other media, including, but not limited to, electronic mail (e-mail), memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports, summaries of interviews, reports of consultants, appraisals,

forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form.

### **Instructions**

1. The Definitions, Instructions, and Claim of Privilege sections set forth in this request for information apply to these questions.
2. In providing an answer to each question, please furnish all of the information that is in your possession, custody, or control, as defined by Texas Rules of Civil Procedure (Tex. R. Civ. Proc.) 192.7(b), including information in the possession, custody, or control of your affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
3. Please answer each question based upon your knowledge, information, or belief, and state whether each answer is based upon your knowledge, information, or belief.
4. If you have possession, custody, or control, as defined by Tex. R. Civ. Proc. 192.7(b), of an original requested document, please produce the original requested document or a complete copy of the original requested document and all copies that are different in any way from the original requested document, whether by interlineation, receipt stamp, or notation.
5. If you do not have possession, custody, or control of an original requested document, please produce copies of the document, however made, in your possession, custody, or control. If any requested document is not in your possession, custody, or control, please explain why the document is not in your possession, custody, or control and provide the current location and custodian of the requested document or any copy, summary, or other form of the requested document thereof.
6. If there is any confusion about a question, please contact the undersigned counsel for clarification.
7. In providing your response to a question, please start each response on a separate page and type, at the top of the page, the question that is being answered by the response.
8. As part of the response to each question, please state, at the bottom of the answer to the question, the name and job position of each person(s) who participated in any way, other than by providing clerical assistance, in the preparation of the answer to the question. If

the question has sub-parts, please identify each person(s) by name and job position that participated in any way, other than by providing clerical assistance, in the preparation of the answer for each sub-part of the question.

9. Please state the name of the witness in this docket who will sponsor the answer to the question and/or sub-part of the question and who will swear to the truthfulness of the answer to the question and/or sub-part of the question.
10. Please provide individual responses to questions as each response becomes available, rather than waiting to provide all of the responses to the questions at the same time.
11. These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer to a question between the time of your original response and the time of the hearing, then you should submit, under oath, a supplemental response to your earlier answer to the question.
12. If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please contact the undersigned counsel, as soon as possible, to discuss the situation and try to resolve the issue. Furthermore, if you object to any question on the grounds that the question seeks confidential information, or on any other grounds, please contact the undersigned counsel, as soon as possible, to discuss the situation and try to resolve the issue.
13. If the response to any question is voluminous, please make available all of the voluminous material at a designated location in Austin. Please provide a detailed index for the voluminous material with your response to the question to enable efficient review of the material. The index should include information sufficient to locate each individual document by page, file, and box number, date of each document, title of each document, description of each document if no document title exists, name of the preparer of each document, and length of each document.
14. If the requested information is included in previously furnished exhibits, workpapers, or responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references to the previously furnished information.

15. If a question requests the production of copyrighted material, you may provide a list of such material, including the title, publisher, author, edition, and page references relied on or otherwise relevant to the question.

### **Claim of Privilege**

If any document is withheld under any claim of privilege, please provide a list that identifies each document for which a privilege is being claimed, including the date, sender, recipient(s) of the privileged document, recipient(s) of copies of the privileged document, subject matter of the privileged document, and the basis upon which a privilege is being claimed by the Company.

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- 13-1. Please refer to the Rebuttal Testimony of Mr. George Novela at 10:4 – 13. For each additional 100 MW of peak load added to EPE's system, how much dedicated capacity is required to serve that load plus EPE's planning reserve requirement?
- 13-2. Please refer to the Rebuttal Testimony of Mr. Novela at 15:7 – 17:9. Is it Mr. Novela's position that extraordinary levels of test year kWh or test year demands for one class will only impact the allocation of costs to that one class, or will it impact the allocation of costs among all classes? Please provide a detailed explanation of your response to this question.
- 13-3. Please refer to the Rebuttal Testimony of Mr. Adrian Hernandez at 6:4 – 19. Is it Mr. Hernandez's testimony that EPE will not use the generating units he has identified as peaker units (i.e., Montana Power Station Units 1 through 4, Rio Grande Generating Station Unit 9, and Copper Generating Station) during the off-peak periods of the first year that new rates are expected be in effect? If so, please provide all analysis, reports or other documentation that supports Mr. Hernandez's position.
- 13-4. Please refer to the Rebuttal Testimony of Mr. Hernandez at 6:4 – 19. Is it Mr. Hernandez's testimony that EPE will operate the generating units he has identified as peaker units during less than 10% of the hours during the off-peak periods of the first year that new rates are expected to be in effect? If so, please provide all analysis, reports or other documentation that supports Mr. Hernandez's position.
- 13-5. Please refer to the Rebuttal Testimony of Mr. Hernandez at 6:28 – 7:5. Please identify where, in the Direct Testimony of Mr. Hernandez, he identified DPROD12 as being a 12CP-A&E allocator for jurisdictional cost allocation purposes.
- 13-6. Please refer to the Rebuttal Testimony of Mr. Hernandez at 6:28 – 7:5. Please identify where, in the Direct Testimony of Mr. Hernandez, he specifically identifies or discusses a 12CP-A&E allocator.
- 13-7. Please refer to the Rebuttal Testimony of Mr. Hernandez at 12:9 – 20. Please identify where, in the Direct Testimony of Mr. Hernandez, he identified DPROD12 as being a 12CP-A&E allocator for class cost allocation purposes.
- 13-8. Please refer to the Rebuttal Testimony of Mr. Hernandez at 18:25 – 19:4. Please provide all studies, analyses or reports that show all residential customers served from a secondary line or a transformer will typically experience their individual monthly or annual peaks during the same hour.
- 13-9. Please refer to the Rebuttal Testimony of Mr. Hernandez at 18:25 – 19:4. Please identify the customer classes served at secondary voltages for which Mr. Hernandez believes there is no diversity in the demands of individual customers, and please provide all studies, analysis or reports that indicates no diversity exists.

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- 13-10. Please refer to the Rebuttal Testimony of Mr. Hernandez at 18:25 – 19:4. Is it Mr. Hernandez's position that EPE plans and installs secondary lines and line transformers assuming the customers served from those facilities do not have any diversity in their peak demands (i.e., all customers peak at the same hour)? If so, provide any analysis, reports, documents, including excerpts from EPE's Distribution Standards, that supports that position.
- 13-11. Please refer to the Rebuttal Testimony of Mr. Hernandez at 18:25 – 19:4. Please provide the sections of EPE's current Distribution Standards manual that address the sizing or design standards for secondary distribution lines and line transformers for service to residential subdivisions and to other secondary voltage customers and that address demand diversity of customer loads in the sizing of secondary distribution facilities.
- 13-12. Please refer to the Rebuttal Testimony of Mr. Hernandez at 19:7 - 15. Is it Mr. Hernandez's opinion that the residential customers who pay their EPE electric bills are more responsible for 904 – Uncollectible Accounts Expense to be incurred than customers in other customer classes who also pay their EPE electric bills? If so, please provide a detailed explanation for your response.
- 13-13. Please refer to the Rebuttal Testimony of Mr. Manuel Carrasco at 17:10 – 16. Is it Mr. Carrasco's testimony that any of the analyses EPE mentioned in response to OPUC 7-8 identifies the level of impact by usage of block frequency or by number of customers by impact percentage for EPE's total Texas residential customers?
- 13-14. Please refer to the Rebuttal Testimony of Mr. Carrasco at 17:10 – 16. Please provide a detailed explanation how each of the three summary analyses EPE listed in response to OPUC 7-8 specifically identifies or evaluates the impact of the following changes on EPE's residential customers by block frequency or by numbers of customers:
- a. proposed change in the definition of summer season;
  - b. proposed increase in the seasonal price differential;
  - c. proposed increase in the price differential between the first and second energy blocks for summer for the Residential Service rate; and
  - d. the combination of the changes identified in a, b, and c.
- 13-15. Please refer to the Rebuttal Testimony of Ms. Cynthia S. Prieto, Exhibit CSP-2R, page 3. Please confirm or deny that the 2021 updated actuarial estimates shown on Exhibit CSP-2R, page 3 for the Retirement Income Plan ("RIP"), the Excess Benefit Plan, the Other Postemployment Benefit Plan ("OPEB") and the combination of the Supplemental Retirement and Survivor Income Plan, the Executive Retirement Agreements, and Directors' Retirement Plan ("SERP") were included in the 45-Day Update as actuarially determined costs for 2021. If confirm, please provide the reference in the 45-Day Update to the actuarial amounts reported on Exhibit CSP-2R, page 3. If deny, please provide a

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reconciliation between the 2021 actuarial amounts included in the 45-day Update to those shown on Exhibit CSP-2R, page 3. Please include an explanation for the differences in amounts reported for 2021 in the 45-Day Update and Ms. Prieto's Rebuttal Testimony.

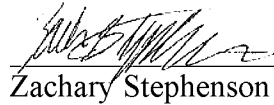
- 13-16. Please refer to the Rebuttal Testimony of Ms. Prieto, page 4, lines 13-16. Please confirm or deny that requested costs for retirement plans (including RIP, Excess Benefits, SERP and OPEB) as filed by the Company included an adjustment to reflect the actuarially determined expense for 2021. If deny, please explain the Rebuttal testimony on page 4, lines 13-16. If confirm, provide an explanation as to why the Company is now requesting an increase to these actuarially determined costs for 2021.
- 13-17. Please refer to the Rebuttal Testimony of Ms. Prieto, page 18. Please provide a complete copy of each of the actuarial studies for all four benefit plans.



November 29, 2021

Respectfully submitted,

Chris Ekoh  
Interim Public Counsel  
State Bar No. 06507015

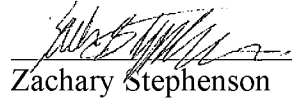


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ATTORNEYS FOR THE  
OFFICE OF PUBLIC UTILITY COUNSEL

**CERTIFICATE OF SERVICE**  
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I hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 29<sup>th</sup> of November 2021 by facsimile, electronic mail, and/or first class, U.S. Mail.

  
Zachary Stephenson