



Filing Receipt

Received - 2021-11-30 11:12:46 AM
Control Number - 52195
ItemNumber - 446

**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
--	----------------------	---

**FREEPORT-MCMORAN, INC.'S SEVENTH REQUESTS
FOR INFORMATION TO EL PASO ELECTRIC COMPANY**

Freeport-McMoRan, Inc. ("FMI") requests that you answer and provide information in response to the attached questions under oath. FMI further requests that you answer the questions 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 witness or witnesses who will sponsor each of your answers at the hearing in this PUC Docket No. 52195. These questions are continuing in nature and, should there be a change in circumstances that would modify or change any of your answers, then, in such case, please change or modify such answer and submit such changed answer as a supplement to the original answer within five (5) working days of your discovery that such change or modification is appropriate.

In answering these requests 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. To the extent any information responsive to a general question is also responsive to another more specific question, provide the information in response to the more specific request.

To the extent any question calls for you to provide documents, furnish such documents in native format, with all formulas intact.

If you are unable to answer any request fully and completely after exercising 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 matter, original or reproduced copy, however produced or reproduced, of any kind and of every kind, and all copies there from that 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, any form of physical or electronic storage or storage device including, without limitation, film, microfilm, computer printout, disk or diskette, magnetic tape, cassette, phonographic disc, videotape, compact disk, DVD, or similar means.

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 that are face-to-face and those that are transmitted by any writing or document or by media of any kind. These words also include any communications and statements that are transmitted electronically or wirelessly, through means such as, but not limited to, email or text messages.

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 that 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.

The words “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.

All computer readable data should be provided on CD ROMs, DVDs or flash drives for use on PC-compatible machines. FMI will provide a sufficient amount of CDs, DVDs or flash drives if requested by you before time for your response.

If you have any question concerning the attached Questions or any of these instructions, please contact Katherine K. Mudge at (512) 615-1233.

Unless the specific question permits a longer time period, answers to this Request for Information should be served on FMI and filed with the Public Utility Commission of Texas within five (5) working days from your receipt of said request. Service on FMI should be made as follows:

Andrew Kever
Katherine K. Mudge
ENOCH KEVER PLLC
7600 N. Capital of Texas Hwy
Building B, Ste 200
Austin, Texas 78731
(512) 615-1198 (fax)
akever@enochkever.com
kmudge@enochkever.com

Respectfully submitted,

Freeport-McMoRan, Inc.
Pete Ewen
Regulatory Strategy Lead
Energy & Power Management
Freeport McMoRan Mining Co.
333 N. Central Ave., Ste 20.146
Phoenix, AZ 85004-2121
pewen@fmi.com

ENOCH KEVER PLLC
Andrew Kever
State Bar No. 11367050
Katherine Mudge
State Bar No. 14617600
Enoch Kever PLLC
7600 N. Capital of Texas Hwy
Building B, Suite 200
Austin, TX 78731
512.615.1200 (phone)
512.615.1198 (facsimile)
akever@enochkever.com
kmudge@enochkever.com

By: 

**ATTORNEYS FOR FREEPORT-
MCMORAN, INC.**

CERTIFICATE OF SERVICE

I certify that a copy of this document was served by electronic mail, on all parties of record in this proceeding on November 30, 2021 in accordance with Order No. 2 in this Docket 52195.



Katherine K. Mudge

ADDITIONAL DEFINITIONS

1. The words “EPE,” “Company,” “you,” “your,” and “yours” refer to El Paso Electric Company and any and all of its attorneys, employees, consultants, contractors, or representatives.
2. “PUC” or “Commission” means the Public Utility Commission of Texas.
3. “FMI” means EPE’s customer, Freeport-McMoRan, Inc.

FREEPORT-MCMORAN, INC.'S SEVENTH REQUEST FOR INFORMATION
TO EL PASO ELECTRIC COMPANY

The Following Requests Refer to the Rebuttal Testimony of Paul Normand.

FMI 7-1 Referring to Bates page 4, lines 6-8:

- a. Provide authoritative support for this statement.
- b. Admit or deny: Losses are directly related to the amount of electrical current flowing through transmission and distribution lines. If deny, explain your response in detail and provide supporting documentation.

FMI 7-2 Referring to Bates page 4, lines 12-26, quantify the percentage of losses that are affected by:

- a. Hourly loads.
- b. The location(s) of generating resources used to meet load.
- c. Remote generation.
- d. Incremental generation from local resources as the system load increases.

FMI 7-3 Referring to Bates page 5, lines 1-16:

- a. Define the term “loss behavior.” Specifically, what characteristics define the loss behavior of the delivery system?
- b. What are the differences in the loss behaviors between radial and non-radial lines?
- c. Provide documentation specific to EPE showing how the loss behavior of radial lines is different from the loss behavior of non-radial lines.
- d. State the length of EPE's radial versus non-radial distribution lines.
- e. Do losses vary proportionately with generator loading?
- f. If the response to e. is “no,” explain why. If the response to e. is “yes,” provide data showing that the loading levels of EPE's generation is higher during the non-summer months than during the summer months and provide the supporting data for each generating unit in live EXCEL format.

FMI 7-4 Referring to Table 3: explain the differences between “fixed” and “variable” losses as those terms are used in the context of this Table.

FMI 7-5 If a larger proportion of transmission losses are more variable than fixed, in contrast to distribution losses, does this infer that transmission losses are more affected by the amount of current flowing through transmission lines than through distribution lines? Please explain your response.

FMI 7-6 Does Mr. Normand agree or disagree with Figure 2 on page 17 of Mr. Pollock's direct testimony? If he disagrees, explain the basis for such disagreement and provide supporting documentation.

FMI 7-7 Does Mr. Normand agree or disagree with Figure 3 on page 18 of Mr. Pollock's direct testimony? If he agrees, explain how the calculated losses increase with declining loads. If he disagrees, explain the basis for any disagreement and provide supporting documentation.

FMI 7-8 Does Mr. Normand agree or disagree with the statements in Mr. Pollock's direct testimony – specifically at:

a. Page 18, lines 9 – 11?

b. Page 18, line 11 through page 19, line 2?

If he disagrees, explain the basis for any disagreement and provide supporting documentation.