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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 SEVENTEENTH REQUESTS FOR INFORMATION
TO EL PASO ELECTRIC COMPANY QUESTIONS CEP 17-1 THROUGH CEP 17-23**

The City of El Paso (the “City”) requests that the El Paso Electric Company (“EPE”) 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 twenty (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 EPE 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 EPE serve its respective responses to this Request on the following person via electronic mail and delivery of hard copies:

Norman J. Gordon
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Engelbaumfm@elpasotexas.gov

DEFINITIONS AND INSTRUCTIONS

1. This Request is directed to El Paso Electric Company ("EPE"). Reference to EPE, **"you" or "your"** means all divisions, departments, bureaus, agencies, and all witnesses whose testimony EPE intends to present, and all persons acting or purporting to act for or on behalf of EPE, 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.

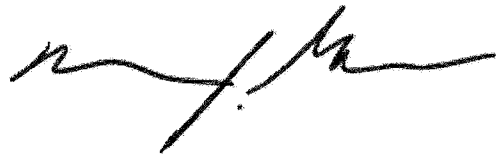
Dated December 1, 2021

Respectfully submitted,

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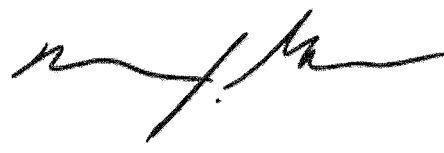
Attorneys for the City of El Paso



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 December 1, 2021.



Norman J. Gordon

PUC Docket No. 52195
City of El Paso's 17th RFIs to EPE
Questions CEP 17-1---CEP 17-23

- CEP 17-1. Reference the Rebuttal testimony of Jennifer E. Nelson at 12, footnote 20, Please provide a copy of the S&P Global Ratings, *North American Regulated Utilities' Negative Outlook Could See Modest Improvement* (January 20, 2021)
- CEP 17-2. Reference the Rebuttal testimony of Jennifer E. Nelson at 12, fn. 23 at 14 footnote. 25 at 15 footnote 28 Please provide a copy of S&P Capital IQ referenced
- CEP 17-3. Reference the Rebuttal testimony of Jennifer E. Nelson at 16 footnote 32 Please provide a copy of the Bloomberg News article referenced.
- CEP 17-4. Reference the Rebuttal testimony of Jennifer E. Nelson at 18 footnote 37, please provide a copy of the article referenced.
- CEP 17-5. Reference the Rebuttal testimony of Jennifer E. Nelson at 19 footnote 44 Please provide a copy of the press release referenced.
- CEP 17-6. Reference the Rebuttal testimony of Jennifer E. Nelson at 20 footnote 45, Please provide a copy of the Form 10-k referenced.
- CEP 17-7. Reference the Rebuttal testimony of Jennifer E. Nelson at 24 footnote Please provide a copy of the presentations referenced.
- CEP 17-8. Reference the Rebuttal testimony of Jennifer E. Nelson at 24 footnote 67, and at page 34 footnote 91 please provide a copy of each of the articles referenced as well as the update referenced.
- CEP 17-9. Reference the Rebuttal testimony of Jennifer E. Nelson at 31 footnote 83, Please provide a copy of the article referenced.
- CEP 17-10. Reference the Rebuttal testimony of Jennifer E. Nelson page 42, footnote 126, and page 43 footnote 128 please provide a copy of the book referenced.

- CEP 17-11. Reference the Rebuttal testimony of Jennifer E. Nelson at 43 footnote 129 and page 44, footnote 130 please provide a copy of the article referenced.
- CEP 17-12. Reference the Rebuttal testimony of Jennifer E. Nelson at 44 Please provide a copy of the article referenced.
- CEP 17-13. Reference the Rebuttal testimony of Jennifer E. Nelson at 45, footnote 132 and footnote 133 please provide a copy of each of the orders referenced.
- CEP 17-14. Reference the Rebuttal testimony of Jennifer E. Nelson at 52, footnote 166, please provide a copy of each of the articles referenced.
- CEP 17-15. Reference the Rebuttal testimony of Jennifer E. Nelson at 58, FN 188,189,190 and 191 Please provide a copy of each of the Standard & Poor's publications referenced.
- CEP 17-16. Reference the Rebuttal testimony of Jennifer E. Nelson at 63 footnote 208, Please provide a copy of the study, and Cost of Capital Navigator referenced.
- CEP 17-17. Reference the Rebuttal testimony of Jennifer E. Nelson at 64 footnote 209, please provide a copy of the Duff & Phelps CSRP Deciles Size Study Methodology, Cost of capital Navigator referenced.
- CEP 17-18. Reference the Rebuttal testimony of Jennifer E. Nelson at 67, please provide a copy of the book referenced.
- CEP 17-19. Reference the Rebuttal testimony of R. Clay Doyle, Exhibit RCD-1R confidential.
- a. Please explain why the E-mails on pages 3-7 of this exhibit were not produced by EPE in response to earlier discovery requests related to the Isleta Pueblo right of way?
 - b. Please identify the date and by whom that pages 3 of 7 and 4 of 7 were made available to Marvin C. Hutcheson and provide any parts of the E-mail chain that were not provided.
 - c. Please identify the date and by whom pages 4 of 7 and 5 of 7 were made available to Marvin C. Hutcheson and provide any parts of the E-mail chain that were not provided.
 - d. If b. is admitted, why was this not produced in either Docket 51348 or this Docket prior to the filing of rebuttal testimony.
 - e. Reference page 4 of 7, please provide an unredacted copy of the E-mail

- f. Reference Page 4 of 7 Please identify the name and qualifications of the “consultant” referenced in the second to last bullet point on that page.
- g. Reference Page 4 of 7 Provide all records and or notes of the information given to Mr. Paulk by the individuals or entities referenced in the second to last bullet point on that page.
- h. Reference page 7 of 7, provide a copy of the map that was attached to that E-mail of January 18, 2017

CEP 17-20. Reference the Rebuttal Testimony of Larry J. Hancock at 5-6, and the Isleta Right of Way Renewal, does Mr. Hancock agree that a single upfront payment has more value to shareholders than annual payments?

- a. If Mr. Hancock agrees, please provide a calculation of the comparison of value to shareholders between a single upfront payment and annual payments.
- b. If Mr. Hancock does not agree, please explain why he does not agree.

CEP 17-21. Reference the Rebuttal Testimony of Larry J. Hancock at page 5-6, is it Mr. Hancock’s position that a single lump sum payment has a greater benefit to ratepayers than annual payments? If the answer is yes, please explain and quantify the greater value to ratepayers.

CEP 17-22. In reference to the rebuttal testimony of George Novela at page 10 of 18, lines 28 – 31 provide the following information:

- a. All documents and calculations supporting the statement “This would significantly increase Texas eligible fuel costs as the cost of power purchased from New Mexico directly assigned solar resources is significantly higher than EPE’s average fuel costs.”
- b. Provide the calculated amount of increase in fuel costs to Texas.
- c. What are the “benefits” Mr. Novela is referring in the statement: “You cannot allocate the benefits of the directly assigned solar resources without allocating the associated costs.”
- d. Quantify the dollar amount of benefits and list all non-quantifiable benefits. Provide all supporting calculations and work papers.
- e. Would Texas customers have benefited during Winter Storm Uri using Mr. Novela’s definition of benefits if solar resources had been allocated to Texas?

CEP 17-23. Reference the Rebuttal Testimony of Manuel Carrasco, Exhibit MC-2R, please provide the underlying revenue amounts for the percentage calculations for each class (Lines 1 through 17 for each party other than EPE.