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SOAH DOCKET NO. 473-21-2606
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APPLICATION OF EL PASO	§	BEFORE THE STATE OFFICE
ELECTRIC COMPANY TO	§	
CHANGE RATES	§	OF
	§	
	§	ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 9
MEMORIALIZING PREHEARING CONFERENCE;
ADDRESSING HEARING PROCEDURES

On January 5, 2022, the Administrative Law Judges (ALJs) convened a prehearing conference via videoconference to address hearing procedures and pending motions.

At the prehearing conference, the parties discussed Texas Industrial Energy Consumer's January 4, 2022 request to provide cross-examination exhibits via a file-sharing site. The request was agreed to by all parties. The request is granted.¹ Given the use of a file-sharing site, the ALJs revised the following hearing procedures provided in SOAH Order No. 7:

1. For cross-examination exhibits, the parties shall upload the exhibits to the file-sharing site no later than 7:00 pm the day before the party intends to offer the exhibit on cross-examination.
2. The ALJs shall be provided access to the file-sharing site.
3. The parties shall upload cross-examination exhibits including protected material to a separate folder on the file-sharing site that may be accessed only by parties that signed the protective order and the ALJs.
4. Electronic copies of the cross-examination exhibits and exhibit list shall be delivered to Kennedy Reporting by 8:00 pm the day before those exhibits are to be used.
5. By the conclusion of the hearing, each party shall provide three physical copies (one ALJ and two appeals copies) of all their cross-examination exhibits to SOAH, and one physical copy of all cross-examination exhibits to Kennedy Reporting.

¹ El Paso Electric may coordinate providing access to the ALJs by contacting the ALJs' assistant Nadia Martinez at nadia.martinez@soah.texas.gov or 512-936-0724.

6. For exhibit lists, each party shall upload its initial exhibit list on January 6, 2022, and if there are additional cross-examination exhibits, the party shall upload an updated exhibit list to the file-sharing site at the same time it uploads its additional exhibits.

Additionally, the hearing on the merits may be extended through January 21, 2022, two days after the hearing is currently scheduled to end, if necessary to facilitate settlement discussions. **Any request to extend the hearing date shall certify court reporter availability.**

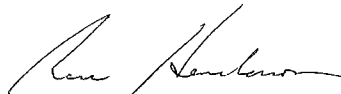
El Paso Electric reported that it was circulating a proposal regarding the order of presentation, order of cross-examination and witness waiver, as well as a three-phased hearing (revenue requirement, return, cost allocation/rate design). EPE will submit the proposal by **January 6, 2022.**

Commission staff noted that the Public Utility Commission open meeting on January 13, 2022 may require a late start that day.

SIGNED January 5, 2022.



CHRISTIAAN SIANO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



ROSS HENDERSON
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



DANIEL WISEMAN
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS