



Filing Receipt

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Control Number - 52195
ItemNumber - 594

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

**APPLICATION OF EL PASO
ELECTRIC COMPANY TO CHANGE
RATES**

§
§
§
§
§

**BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS**

**CITY OF EL PASO'S SIXTH MONTHLY SUPPLEMENTAL RATE CASE EXPENSE
SUBMISSION**

The City of El Paso (the "City") submits its Sixth Monthly Supplemental Rate Case Expense Submission in this proceeding, attached. This submission supplements Exhibit JZB-RCE-3, attached to the Direct Testimony of James Z. Brazell, filed on October 22, 2021, in this matter, and the City's First, Second, Third, Fourth, and Fifth Supplemental RCE Submissions, filed on December 20, 2021, January 20, 2022, February 22, 2022, March 21, 2022, and April 20, 2022, respectively, and is filed pursuant to the procedures proposed by the City for submission, consideration, and review of rate case expenses as the docket progresses in Mr. Brazell's October 22nd Testimony. The City requests that, after reasonable opportunity for objection, discovery, response, and a hearing, the actual rate case expenses and supporting data included in this filing be admitted into the evidentiary record in this case and be found by the Commission to support reimbursement of the City's rate case expenses incurred for participation in this proceeding.

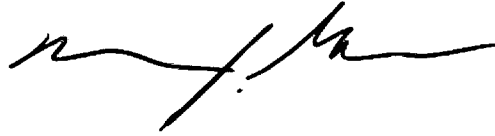
Dated: May 20, 2022

Respectfully submitted,

Norman J. Gordon
ngordon@ngordonlaw.com
State Bar No. 08203700
P.O. Box 8
El Paso, Texas 79940
221 N. Kansas, Suite 700
El Paso, Texas 79901

(915) 203-4883

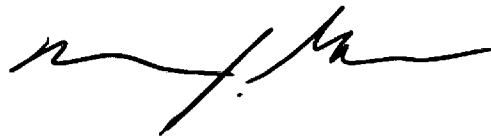
Karla M. Nieman, City Attorney
State Bar No. 24048542
Donald C. Davie, Assistant City Attorney
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City of El Paso
300 N. Campbell, 2nd Floor
El Paso, Texas 79901
(915) 212-0033
(915) 212-0034 (fax)
Niemankm@elpasotexas.gov
DavieDC@elpasotexas.gov
Attorneys 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 May 20, 2022.



Norman J. Gordon

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

APPLICATION OF EL PASO ELECTRIC COMPANY TO CHANGE RATES	§ § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF EL PASO'S SIXTH MONTHLY SUPPLEMENTAL RATE CASE EXPENSE
SUBMISSION**

May 20, 2022

EXHIBIT JZB-RCE-3 SIXTH SUPPLEMENTAL

**Summary of and Invoices and Source Documents for City of El Paso Rate Case Expenses for
Participation in PUC Docket Nos. 52195 through April 30, 2022**

Exhibit 3A Fifth Supplemental
Summary of City of El Paso Rate Case Expenses for Participation in PUC Docket No. 52195
Application of El Paso Electric Company for Authority to Change Rates through April 30, 2022

(a) Attorney/Consultant	(b) Invoice Date	(c) Invoice No.	(d) Billing Period	(e) Fees	(f) Expenses	(g) Invoiced Amounts
Legal Fees and Expenses						
Norman J. Gordon	09/20/21	172	Mar-Aug 2021	\$39,095.00	\$0.00	\$39,095.00
	10/21/2021	176	Sep 2021	\$10,255	\$0.00	\$10,255.00
	11/23/2021	179	Oct 2021	\$27,475.00	\$81.43	\$27,556.43
	12/15/2021	180	Nov 2021	\$23,905.00	\$63.81	\$23,968.81
	1/18/2022	181	Dec 2021	\$35,770.00	\$0.00	\$35,770.00
	2/9/2022	184	Jan 2022	51,625.00	\$6,372.02	\$57,997.02
	3/16/2022	185	Feb 2022	22,085.00	\$0.00	\$22,085.00
	4/15/2022	187	Mar 2022	\$18,620.00	\$0.00	\$18,620.00
	5/18/2022	188	Apr 2022	\$8,680.00	\$0.00	\$8,680.00
			Total			\$244,027.26
Molly Mayhall Vandervoort ¹	2/4/2022	271	Jan 2022	NA	NA	NA
	NA	NA	Feb 2022	NA	NA	NA
	NA	NA	Mar 2022	NA	NA	NA
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$0.00

¹ Per footnote 1 in the City's February 22, 2022, supplemental RCE filing, Ms. Mayhall-Vandervoort's charges for January 2022, were included in Mr. Gordon's statement dated 2/9/22.

Snapper Carr, Curtis Seidlits						
	1/18/2022	2100	Jun 8-Dec 31, 2021	\$21,490.00	\$0.00	\$21,490.00
	1/18/2022	2102	Jan 1-15, 2022	\$11,321.25	\$0.00	\$11,321.25
	2/18/2022	2103	Jan 16-31, 2022	\$7,832.50	\$0.00	\$7,832.50
	3/17/2022	2108	Feb 2022	\$11,945.00	\$0.00	\$11,945.00
	4/15/2022	2120	Mar 2022	\$2,138.75	\$0.00	\$2,138.75
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$54,727.50
Consultants and Experts Fees and Expenses						
ReSolved Energy (Karl Nalepa)						
	7/13/2021	4826	Jun 2021	\$2,214.00	\$0.00	\$2,214.00
	8/5/2021	4842	Jul 2021	\$2,871.00	\$0.00	\$2,871.00
	9/8/2021	4862	Aug 2021	\$2,115.00	\$0.00	\$2,115.00
	10/7/2021	4881	Sep 2021	\$1,782.00	\$0.00	\$1,782.00
	11/3/2021	4895	Oct 2021	\$12,456.00	\$0.00	\$12,456.00
	12/8/2021	4917	Nov 2021	\$2,970.00	\$0.00	\$2,970.00
	1/6/2021	4933	Dec 2021	\$9,342.00	\$0.00	\$9,342.00
	2/7/2022	4939	Jan 2022	\$4,464.00	\$0.00	\$4,464.00
	3/8/2022	4968	Feb 2022	\$711.00	\$0.00	\$711.00
	4/6/2022	4986	Mar 2022	\$810.00	\$0.00	\$810.00
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$39,735.00
CJ Energy (Clarence Johnson)	10/1/2021	1	Jul-Sep 2021	\$12,804.00	\$0.00	\$12,804.00
	11/2/2021	2	Oct 2021	\$11,022.00	\$0.00	\$11,022.00
	12/5/2021	3	Nov 2021	\$7,304.00	\$0.00	\$7,304.00
	1/13/2022	4	Dec 2021	\$2,350.00	\$0.00	\$2,350.00
	2/3/2022	5	Jan 2022	\$2,508.00	\$0.00	\$2,508.00
	3/11/2022	6	Feb 2022	\$836.00	\$0.00	\$836.00
	4/13/2022	7	Mar 2022	\$1,628.00	\$0.00	\$1,628.00
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$38,452.00

Dan Lawton	8/9/2021	NA	Jul 2021	\$24,275.00	\$0.00	\$24,275.00
	9/9/2021	992021	Aug 2021	\$15,325.00	\$0.00	\$15,325.00
	10/9/2021	1092021	Sep 2021	\$11,000.00	\$0.00	\$11,000.00
	11/12/2021	11122021	Oct 2021	9,875.00	\$0.00	9,875.00
	12/13/2021	12132021	Nov 2021	6,125.00	\$0.00	6,125.00
	1/10/2022	1132022	Dec 2021	\$8,125.00	\$0.00	\$8,125.00
	2/15/2022	2152022	Jan 2022	\$7,875.00	\$0.00	\$7,875.00
	NA	NA	Feb 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Mar 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$82,600.00

Garrett Group (Mark Garrett)	9/10/2021	NA	Aug 2021	\$25,435.00	\$1,017.40	\$26,452.40
	10/6/2021	NA	Sep 2021	\$7,005.00	\$280.20	\$7,285.20
	11/18/2021	NA	Oct 2021	\$27,950.00	\$0.00	\$27,950.00
	12/13/2021	NA	Nov 2021	\$11,230.00	(\$1,297.60)	\$9,932.40
	1/13/2022	NA	Dec 2021	\$8,055.00	\$0.00	\$8,055.00
	2/7/2022	NA	Jan 2022	\$7,330.00	\$0.00	\$7,330.00
	NA	NA	Feb 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Mar 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$87,005.00
Resolve Utility (David Garrett)	8/22/2021	000459	Jul 2021	\$2,750.00	\$0.00	\$2,750.00
	10/4/2021	000478	Aug 2021	\$9,550.00	\$0.00	\$9,550.00
	10/4/2021	000479	Sep 2021	\$3,200.00	\$0.00	\$3,200.00
	11/16/2021	000504	Oct 2021	\$10,800.00	\$0.00	\$10,800.00
	12/16/2021	000513	Nov 2021	\$3,550.00	\$0.00	\$3,550.00
	1/17/2022	000517	Dec 2021	\$3,450.00	\$0.00	\$3,450.00
	2/18/2022	000522	Jan 2022	\$2,100.00	\$0.00	\$2,100.00
	NA	NA	Feb 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Mar 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$35,400.00

Norwood Energy (Scott Norwood)						
	10/18/2021	EPE Rate Jun21	Jun 2021	\$5,720.00	\$0.00	\$5,720.00
	10/18/2021	Jul21	Jul 2021	\$7,920.00	\$0.00	\$7,920.00
	10/18/2021	Aug21	Aug 2021	\$8,360.00	\$0.00	\$8,360.00
	10/18/2021	Sep21	Sep 2021	\$8,800.00	\$0.00	\$8,800.00
	12/5/2021	EPERate OCT21	Oct 2021	\$15,620.00	\$0.00	\$15,620.00
	12/5/2021	EPERate NOV21	Nov 2021	\$7,370.00	\$0.00	\$7,370.00
	1/18/2022	EPERate DEC21	Dec 2021	\$2,750.00	\$0.00	\$2,750.00
	2/21/2022	EPERate JAN22	Jan 2022	\$3,300	\$0.00	\$3,300.00
	NA	NA	Feb 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Mar 2022	\$0.00	\$0.00	\$0.00
	NA	NA	Apr 2022	\$0.00	\$0.00	\$0.00
			Total			\$59,840.00
Law Ofc of James Z Brazell (James Brazell)	10/20/2021	Inv21- 1760	Sep 2021	\$840.00	\$0.00	\$840.00
	12/15/2021	Inv21- 1763	Oct 2021	\$26,915.00	\$0.00	\$26,915.00
	12/15/2021	Inv21- 1767	Nov 2021	\$9,345.00	\$0.00	\$9,345.00
	1/18/2022	Inv21- 1768	Dec 2021	\$6,545.00	\$0.00	\$6,545.00
	2/18/2022	Inv22- 1769	Jan 2022	\$12,075.00	\$0.00	\$12,075.00
	3/15/2022	Inv22- 1770	Feb 2022	\$4,795.00	\$0.00	\$4,795.00
	4/15/2022	Inv22- 1771	Mar 2022	\$2,345.00	\$0.00	\$2,345.00
	5/16/2022	Inv22- 1772	Apr 2022	\$2,310.00	\$0.00	\$2,310.00
			Total			\$65,170.00
			Case Total			\$706,956.76

§ BEFORE THE STATE OFFICE
§ OF
§ ADMINISTRATIVE HEARINGS

May 20, 2022

Summary of and Invoices and Source Documents for City of El Paso Rate Case Expenses for Participation in PUC Docket Nos. 52040 from August 1, 2021, to April 30, 2022.

Exhibit 4A Supplemental
Summary of City of El Paso Rate Case Expenses for Participation in PUC Docket No. 52040
Application of El Paso Electric Company for an AMS

Attorney/Consultant	Invoice Date	Invoice No.	Billing Period	Fees	Expenses	Invoice Amount
Norman J. Gordon	8/27/2021	170	Apr-Jul 2021	\$5,635.00	\$0.00	\$5,635.00
	1/18/2022	NA	Aug-Dec 2021	\$16,800.00	\$0.00	\$16,800.00
	3/17/2022	186	Jan-Feb 2022	\$490.00	\$0.00	\$490.00
	4/18/2022	189	Mar & Apr 2022	\$525.00	\$0.00	\$525.00
			Total			\$23,450.00
			Case Total			\$23,450.00

Norman J. Gordon

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

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

SEVENTH SUPPLEMENTAL DECLARATION OF NORMAN J. GORDON

THE STATE OF OHIO)
)
COUNTY OF CUYAHOGA)

1. My name is Norman J. Gordon. My business address is PO Box 8, El Paso, Texas, 79940. I am over eighteen years of age and I am not disqualified from making this Declaration. I declare under penalty of perjury that the information in this declaration provided under Chapter 132 Texas Civil Practice and Remedies Code is true and correct.

2. I am an attorney licensed in the States of Texas and Illinois, and numerous federal courts. I received my undergraduate degree and law degree from the University of Illinois at Urbana-Champaign. I have been in the private practice of law in El Paso since completing my military obligation with the Judge Advocate General's Corps of the United States Army in 1974. I am board certified in Civil Trial Law by the Texas Board of Legal Specialization and have been so certified since 1983. One of the areas of my practice is in the area of utility regulation. Since 1978, I have been lead counsel for parties in many major rate cases, rulemaking proceedings, and other administrative dockets before City Councils, the Railroad Commission of Texas, the Public Utility Commission of Texas, State District Courts, United States Bankruptcy Court, and Texas Appellate Courts, including the Supreme Court of Texas. I have filed testimony on rate case expense issues in cases before Railroad Commission of Texas. I have filed testimony and testified as an expert witness on rate case expenses in cases before the Public Utility Commission of Texas. I have also taught principles of regulation to members of the Public Utility Regulation Board of the City of El Paso, an advisory board on utility matters.

3. I became a sole practitioner in February 2019. Prior to February 2019, I was a shareholder in the El Paso firm of Mounce, Green Myers, Safi, Paxson & Galatzan, A Professional Corporation, from October 2003 until February 2019. Prior to that time, my private practice was with the El Paso law firm of Diamond Rash Gordon & Jackson, P.C., for 29 years where I was a shareholder.

4. This declaration addresses fees and expenses for my work in Docket 52195 from April 1, 2022, through April 30, 2022, as well as EPE's Advanced Metering Case, Docket No. 52040 through April 30, 2022. During that month for Docket 52195 there were ongoing settlement negotiations, and review of details of the settlement materials. In addition, the services included

assisting in getting the presentations ready for the El Paso City Council concerning the status and appearing at Executive Sessions of the El Paso City Council.

5. In connection with the Docket 52195 for services in April 2022, I billed a total of \$8,680.00 in fees. There were no expenses in April 2022. The total for my fees and expenses through April 2022 is \$244,027.26. All other services charged were for my time for settlement negotiations and preparation for and participation in the mediation, as well as client communications and conferences with the client and other parties. The invoice and support are attached to this declaration as Attachment A. There were no charges for first-class travel or hotel expense. There was no markup on the expenses.

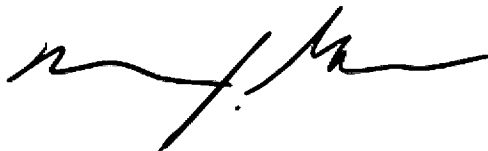
6. In connection with Docket No. 52040 (Advanced Metering), I billed \$525.00 in fees for March and April 2022. There were no expenses. The services were in connection with getting a settlement agreement filed and related matters. There will be some additional time to review the proposed final order and monitor the final order meeting.

7. There will be additional fees and potentially expenses through the completion of the case. I will update this Declaration before the close of the evidence. The services to be provided after April 30, 2022, include the completion of the settlement negotiations, attendance at the final order meeting, and hopefully no further hearing expenses. Based on my experience, I estimate an additional \$20,000 to \$40,000 in fees, plus some amount of travel expense. Even though the hearing is being conducted via Zoom[®] there will be travel to final order meetings of the Commission. These estimates do not include the estimates of the costs of an additional docket on rate case expenses or an appeal of any decision, should that be necessary.

8. I am familiar with the hourly rates charged by others for similar work. My rate for this case at \$350.00 per hour is at or below charged by others with similar experience for similar work. All of the work done by me was reasonable as to both time and amount considering the nature, extent, and difficulty of the work, the originality of the issues presented, including the nature of the issues raised and addressed by the City in this proceeding, and the amount of time spent by and charges by others for work of a similar nature in this and other proceedings.

Further Declarant Says Not.

Dated May 19, 2022

A handwritten signature in black ink, appearing to read 'N. J. Gordon', written over a horizontal line.

Norman J. Gordon

ATTACHMENT A
INVOICE APRIL 2022 Services
RE: PUCT DOCKET 52195

Norman J. Gordon
Attorney at Law
PO Box 8
El Paso, Texas, 79940

Page: 1
05/19/2022
Account No: 1M

City of El Paso
300 N. Campbell
Attn: Office of the City Attorney
PO Box 1890
El Paso TX 79950-1890
El Paso TX 79901

Attn: Karla M. Nieman

Payments received after 05/19/2022 are not included on this statement.

Norman J Gordon
Attorney At Law

	Balance
1-30 EPE 2021 Rate Case Matter No. 21-1008-174	<u>\$8,680.00</u>

Please make checks payable to "Norman J. Gordon"

Norman J. Gordon
 Attorney at Law
 PO Box 8
 El Paso, Texas, 79940

City of El Paso
 300 N. Campbell
 Attn: Office of the City Attorney
 PO Box 1890
 El Paso TX 79950-1890
 El Paso TX 79901

Attn: Karla M. Nieman

EPE 2021 Rate Case Matter No. 21-1008-174

Page: 1
 05/19/2022
 Account No: 1-30M
 Statement No: 188

Payments received after 05/19/2022 are not included on this statement.

<u>Fees</u>			Hours	
04/04/2022	NJG	Review information from EPE re: City of El Paso Accounts on Rate 41	0.60	210.00
04/05/2022	NJG	Status E-mails. Tel. B. Slocum re: status of proposals, Initial review of residential rate design proposal.	0.50	175.00
04/06/2022	NJG	Review and analysis of EPE rate design proposal, compare to EPE request and current rates, incl. differentials, attempt to reconcile with settlement totals, E-mails and Tel. w/ C. Johnson re: EPE proposal, Conf w/ D Davie and F. Engelbaum re: proposal, E-mails w/ B. Slocum	1.80	630.00
04/07/2022	NJG	Telephone w/ Z. Stephenson, B. Slocum re: Error in EPE calculations for settlement, Tel. M. Garrett re: EPE's error, Check testimony from EPE, City and OPUC re: EDIT calculations, E-mails to client about errors, Review EPE's proof of revenues for Residential and Small General Service Classes, E-mails w/ questions re: proof of revenues. E-mails re: status of interruptible rate tariff.	3.40	1,190.00
04/08/2022	NJG	Review EPE revised proposed EDIT refund, E-mails with client and with EPE re: calculations, Review EPE rate case expense update filing.	1.40	490.00
04/11/2022	NJG	Tel. w/ A. Hall, tel. b. Slocum, E-mails and study re: information provided by EPE on Rate 01 and 02, rate 41. Tel. F. Engelbaum.	1.30	455.00
04/12/2022	NJG	analysis of data provided by EPE Carrasco E-mail re: Residential rates	1.10	385.00
04/13/2022	NJG	Review and analyze OPUC's proposed residential and small gs rates, Tel. B. Slocum re: rate 38, Tel. C. Johnson, Tel Z Stephenson, Review status with F. Engelbaum and D Davie.	1.80	630.00
04/14/2022	NJG	Conference call re: Rate 38 issues, Tel. C. Johnson, review early settlement documents, tel. C. Johnson,	0.90	315.00

EPE 2021 Rate Case Matter No. 21-1008-174

			Hours	
04/15/2022	NJG	E-mails re: Rate Case Expense update, Draft updated declaration re: rate case expense.	0.40	140.00
04/19/2022	NJG	Tel. K. Mudge re: status of rate proposals, E-mail re: Effects of Rate 38 settlement (E-mail from M. Arth) and to City Attorney office, Review final submission of rate case expenses as prepared, and statements of consultants, etc.	0.90	315.00
04/20/2022	NJG	E-mail re: status report and status of rate design. Analysis of Rate 41 proposal. Update call w/F. Engelbaum	1.30	455.00
04/21/2022	NJG	E-mails w/ B. Slocum and others re: rate design, Study of EPE proposed Rate 24 rate design.	0.90	315.00
04/26/2022	NJG	Tel. B. Slocum re: status E-mails re: rate case issues. Analysis of Rate 24 rate design proposal from EPE.	1.60	560.00
04/27/2022	NJG	Study of Rate 01 and Rae 02 impacts, Tel. C. Johnson, Tel. B. Slocum, Conf w/ F. Engelbaum re: status and issues.	2.80	980.00
04/28/2022	NJG	Tel. C. Johnson re: Rate 24 issues and other classes, Study results of relation back. E-mails w/ B. Slocum re: tariff issues and relation back. Tel. M. Garrett and E-mails re: EDIT issues.	2.40	840.00
04/29/2022	NJG	Receipt and Initial Review of Settlement Documents, Review of calculations of Relation back and effects on classes, Conf w/ F. Engelbaum re: status of rate issues in settlement negotiations.	1.70	595.00
For Current Services Rendered			24.80	8,680.00

		Recap			
<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>	
Norman J Gordon		24.80	\$350.00	\$8,680.00	
Total Current Work				8,680.00	
Balance Due				<u>\$8,680.00</u>	

		Billing History			
<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>	
8,680.00	0.00	0.00	0.00	0.00	

Please make checks payable to "Norman J. Gordon"

ATTACHMENT B
INVOICE FOR SERVICES MARCH/APRIL 2022
RE: PUCT DOCKET 52040

Norman J. Gordon
Attorney at Law
PO Box 8
El Paso, Texas, 79940

Page: 1
05/19/2022
Account No: 1M

City of El Paso
300 N. Campbell
Attn: Office of the City Attorney
PO Box 1890
El Paso TX 79950-1890
El Paso TX 79901

Attn: Karla M. Nieman

Payments received after 05/19/2022 are not included on this statement.

Norman J Gordon
Attorney At Law

	Balance
1-27 EPE AMS Filing PUC Docket 52040	<u>\$525.00</u>

Please make checks payable to "Norman J. Gordon"

Norman J. Gordon
 Attorney at Law
 PO Box 8
 El Paso, Texas, 79940

City of El Paso
 300 N. Campbell
 Attn: Office of the City Attorney
 PO Box 1890
 El Paso TX 79950-1890
 El Paso TX 79901

Page: 1
 05/19/2022
 Account No: 1-27M
 Statement No: 189

Attn: Karla M. Nieman

EPE AMS Filing PUC Docket 52040

Payments received after 05/19/2022 are not included on this statement.

<u>Fees</u>			<u>Hours</u>	
04/14/2022	NJG	Tel. S. Olson re: implementation date of new rates after anticipated Commission Action on 4/21	0.20	70.00
04/20/2022	NJG	Check PUC Agenda for 4/21. Tel. S. Olson, Update F. Engelbaum on PUC consideration.	0.20	70.00
04/21/2022	NJG	Monitor PUC Open meeting for discussion of settlement, E-mail to client with results.	1.10	385.00
		For Current Services Rendered	1.50	525.00
<u>Recap</u>				
<u>Timekeeper</u>	<u>Title</u>		<u>Hours</u>	<u>Rate</u>
Norman J Gordon			1.50	\$350.00
Total Current Work				525.00
Balance Due				<u>\$525.00</u>

<u>Billing History</u>				
<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>
525.00	0.00	0.00	0.00	0.00

Please make checks payable to "Norman J. Gordon"

LAW OFFICE of SNAPPER L. CARR
Snapper Carr

No Charges for Docket No. 52195 in April 2022

ReSOLVED ENERGY CONSULTING, LLC
Karl J. Nalepa

No Charges for Docket No. 52195 in April 2022

Daniel J. Lawton

No Charges for Docket No. 52195 in April 2022

CJ ENERGY CONSULTING
Clarence Johnson

No Charges for Docket No. 52195 in April 2022

GARRETT GROUP CONSULTING, INC.
Mark E. Garrett

No Charges for Docket No. 52195 in April 2022

RESOLVE UTILITY CONSULTING, PLLC
David J. Garrett

No Charges for Docket No. 52195 in April 2022

NORWOOD ENERGY CONSULTING, LLC
Scott Norwood

No Charges for Docket No. 52195 in April 2022

James Z. Brazell

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

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

DECLARATION OF JAMES Z. BRAZELL
SUPPORTING CITY OF EL PASO'S SIXTH MONTHLY SUPPLEMENTAL RATE
CASE EXPENSE FILING

STATE OF TEXAS

COUNTY OF WILLIAMSON

I, James Z. Brazell, state the following facts upon my oath.

My name is James Z. Brazell. My business address is PO Box 2, Taylor, Texas 76574. I am over eighteen years of age and am not disqualified from making this declaration. I declare under penalty of perjury that the information in this declaration provided under Chapter 132, Texas Civil Practice and Remedies Code, is true and correct.

1. I am the owner of the Law Office of James Z. Brazell. I have been retained by the City of El Paso to provide expert testimony and analyses on rate case expenses in this rate proceeding filed by El Paso Electric Company ("EPE" or "Company"), Docket No. 52195.

2. I am making this declaration to address the necessity for and reasonableness of my actual fees related charges from March 1 through April 30, 2022, and revised estimated expenses through completion of this case.

3. My billing rate for consulting services is \$350 per hour. This is my normal billing rate that I charge for legal and rate case consulting services. This rate is reasonable for a consultant providing these types of services before utility regulatory agencies in Texas. I have more than 30 years of utility rate regulatory experience providing utility legal and rate consulting.

4. I have included in the following table a summary of hours billed to date, actual charges to date, along with estimates to complete the case.

ACTUAL AND ESTIMATED RATE CASE EXPENSES FOR JAMES Z.
BRAZELL

MONTH	HOURS	CHARGES
SEPTEMBER 2021	2.4 Hrs	\$840.00

OCTOBER 2021	77.8 Hrs	\$26,915.00
NOVEMBER 2021	26.7 Hrs	\$9,345.00
DECEMBER 2021	18.7 Hrs	\$6,545.00
JANUARY 2022	34.5 Hrs	\$12,075.00
FEBRUARY 2022	13.7 Hrs	\$4,795.00
MARCH 2022	6.7 Hrs	\$2,345.00
APRIL 2022	6.6 Hrs	\$2,310.00
TOTAL ACTUAL TO DATE	187.1 Hrs.	\$65,170.00
ESTIMATE TO COMPLETE	10.00 Hrs	\$3,500.00
TOTAL ACTUAL & ESTIMATE	197.1 Hrs	\$68,670.00

5. As shown in the above table I have billed a total of 187.1 hours through April 30, 2022, in Docket No. 52195 for the time spent reviewing and analyzing the issues in this case, preparing testimony and analysis on the issues of rate case expenses, and preparing supplemental RCE update filings. An additional 10 hours are estimated to complete necessary tasks through the end of this proceeding. These hours are estimated for time required to prepare the City's monthly RCE supplemental filings. The hours also include the time estimated for review and assistance, if required, drafting briefs and reply briefs, evaluating the proposal for decision, reviewing and drafting exceptions and replies, responding to any proposed order, and reviewing and drafting motions for rehearing and replies. Based on my experience, this is a reasonable estimate.

6. I have reviewed the actual invoices and there have been no duplicate billings, no billings exceeding 12 hours per day, no out-of-pocket expenses have been billed and as such there are no billings for alcohol or extravagant items such as expensive meals, lodging, or transportation services.

7. The work done by me and submitted in these invoices was necessary and reasonable with respect to both time and amount considering the nature, extent, and difficulty of the work, the originality of the issues presented, including the nature of the issues raised and addressed by the City in this proceeding, and the amount of time spent by and charges by others for work of a similar nature in this and other proceedings.

8. Based on my experience relating to analysis of rate proceeding matters and the reasonableness of rate case expenses before the Public Utility Commission of Texas, I conclude that: (1) my hourly rate is reasonable; and (2) the actual hours and estimate of additional hours in this case are both necessary and reasonable.

9. I have attached my actual invoices submitted to the City of El Paso for work from

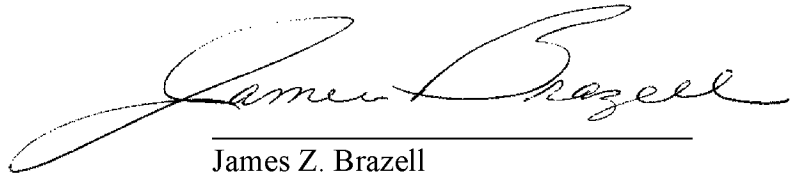
March 1 to April 30, 2022.

10. **Correction of Dec 20, 2021, and Jan. 20, 2022 affidavits:** on Bates 000068 of the City's December 20, 2021, 1st Supplemental RCE Update filing in Par. 5 at the bottom of Page 1 of the Affidavit of James Z Brazell and on Bates 000063 of the City's January 20, 2022, 2nd Supplemental RCE Update filing in Par. 5 at the bottom of Page 1 of the Affidavit of James Z Brazell, the titles of the tables should be corrected to read "ACTUAL AND ESTIMATED RATE CASE EXPENSES FOR JAMES Z BRAZELL."

11. **Correction of Third Supplemental Update, Exhibit 3A Third Supplemental:** on Bates 000007 of the City's February 22, 2021, 3rd Supplemental RCE Update filing, on the line for the 2/18/2022 invoice, column c, Invoice No, at the top of the page, the Invoice number should be corrected to read "Inv22-1769."

Further Declarant Says Not.

May 19, 2022



James Z. Brazell

**LAW OFFICE OF
JAMES Z. BRAZELL**

P.O. Box 2

TAYLOR, TEXAS 76574

jbrazell@brazelllaw.com 512-658-0830 512-233-0685 FAX

INVOICE

Date: May 16, 2022
Re: Inv22-1772; Consulting services in Apr 2022
From: Law Office of James Z. Brazell; EIN 51-0631337
City of El Paso Vendor No. 1000059002

To: City of El Paso, Texas
Office of the City Attorney
Office of the Comptroller
P.O. Box 1890
El Paso, TX 79950-1890

EPCityAttorney-AccountsPayable@elpasotexas.gov

Attn: Frances M. Engelbaum
Karla M. Nieman
Angela Riggs

Section 1: Legal Services Rendered

PUC Docket No. 52195, Application of El Paso Electric Company to Increase Rates, Rate Case Expenses Testimony

<u>Date</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Charge</u>
4/13/2021	11:54 A to 12:36 P. El Paso. Reviewed calendar for next supplemental RCE filing. Drafted and sent e-mail to attorneys and consultants ref requesting invoices and declarations or notes advising of no charges.	0.7	\$ 350.00	\$ 245.00
4/15/2021	10:42 A to 12:36 P. El Paso. Worked on preparation of City's Fifth Supplemental RCE Update. E-mails w/ attorneys and consultants requesting data. Received data and revised and continued preparation of RCE update.	1.9	\$ 350.00	\$ 665.00

4/18/2021	9:48 A to 11:30 A. El Paso. Rec'd rev'd and saved data from K Nalepa. Included K Nalepa invoice and declaration in Fifth Supplemental filing. Drafted and sent e-mail to M. Garret ref inquiring if Garrett Group had any charges. Rec'd responses. Included response in filing. Prepared total calculation worksheet. Rec'd rev'd and resp'd to N. Gordon e-mail sending Sixth Declaration. Reviewed messages from S. Carr. E-mail's to from N. Gordon.	1.7	\$	350.00	\$	595.00
4/18/2021	5:06 P to 5:48 P. El Paso. Rec'd & rev'd S. Carr data. Included in Fifth Supplemental filing. Checked declaration and found math error. Drafted and sent e-mail to S. Carr asking to check math. Included in Supplemental filing. Made correction to error.	0.7	\$	350.00	\$	245.00
4/18/2021	8:12 P to 8:42 P. El Paso. Rec'd and rev'd S. Carr's revised declaration. Included S. Carr invoice and declaration in draft Fifth Supplemental filing. Combined separate parts of filing into single DRAFT filing.	0.5	\$	350.00	\$	175.00
4/19/2021	11:18 A to 12:24 P. El Paso. Received N. Gordon's revised pdf of declaration and invoice. Included in DRAFT Fifth Supplemental filing. Completed FINAL DRAFT of Fifth Supplemental and forwarded to N. Gordon for review, filing, and service.	1.1	\$	350.00	\$	385.00
Total		6.60			\$	2,310.00

Section 2: Out of Pocket Expenses & Reimbursable Charges

Date	Vendor / Services	Hours	Rate	Charge
4/1/2022	NA (No Expenses)	NA	NA	NA
Total Expenses & Reimbursable Charges				NA

Section 3: Summary of Charges

Outstanding Charges/Credits			
Date	Invoice/Payment		
1/18/2022	Inv21-1768, Consulting services in Dec 2021	\$	6,545.00
3/15/2022	Inv22-1770; Consulting services in Feb 2022	\$	4,795.00
4/15/2022	Inv22-1771; Consulting services in Mar 2022	\$	2,345.00
5/16/2022	Payment(s): City Direct Deposit	\$	-
Outstanding Charges/Credits		\$	13,685.00
Current Charges			
5/16/2022	Inv22-1772; Consulting services in Apr 2022	\$	2,310.00

Expenses/Reimbursable charges (see above)

NA

Current charges

\$ 2,310.00

Outstanding charges/(credits) (from above)

\$ 13,685.00

Total due

\$ 15,995.00

Please remit within 15 days of receipt to:

Law Office of James Z. Brazell

P.O. Box 2

Taylor, Texas 76574

Note(s):

Retainer Summary/Balance

	\$0.00	\$ -
Current retainer balance		\$ -