



Filing Receipt

Received - 2022-06-20 12:46:00 PM

Control Number - 52195

ItemNumber - 600

**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 SEVENTH MONTHLY SUPPLEMENTAL RATE CASE
EXPENSE SUBMISSION**

The City of El Paso (the "City") submits its Seventh 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, Fifth, and Sixth Supplemental RCE Submissions, filed on December 20, 2021, January 20, 2022, February 22, 2022, March 21, 2022, April 20, 2022, and May 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.

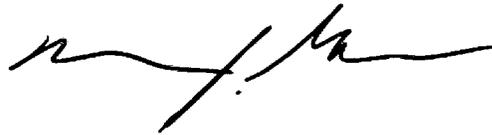
Dated: June 20, 2022

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
State Bar No. 24095524
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 June 20, 2022.



Norman J. Gordon

**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**

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

June 20, 2022

EXHIBIT JZB-RCE-3 SEVENTH SUPPLEMENTAL

**Summary of and Invoices and Source Documents for City of El Paso Rate Case Expenses for
Participation in PUC Docket Nos. 52195 through May 31, 2022**

Exhibit 3A Seventh 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 May 31, 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	
	6/20/2022	190	May 2022	\$11,725.00	\$0.00	11,725.00	
			Total				\$255,752.26
Molly Mayhall Vandervoort¹	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	
	NA	NA	May 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
	NA	NA	May 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
	NA	NA	May 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
	NA	NA	May 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
	NA	NA	May 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
	NA	NA	May 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
	NA	NA	May 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
	NA	NA	May 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
	6/17/2022	Inv22-1773	May 2022	\$2,975.00	\$0.00	\$2,975.00
			Total			\$68,145.00
			Case Total			\$721,656.76

**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**

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

June 20, 2022

EXHIBIT JZB-RCE-4 SEVENTH SUPPLEMENTAL

**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 May 31, 2022.**

**Exhibit 4A Seventh 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
	6/20/2022	191	May 2022	\$700.00	\$0.00	\$700.00
			Total			\$24,150.00
			Case Total			\$24,150.00

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

EIGHTH 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 May 1, 2022, through May 31, 2022, as well as EPE’s Advanced Metering Case, Docket No. 52040 through May 31, 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 May 2022, I billed a total of \$11,725.00 in fees. There were no expenses in May 2022. The total for my fees and expenses through May 2022 is \$255,752.26. 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 be no markup on the expenses.

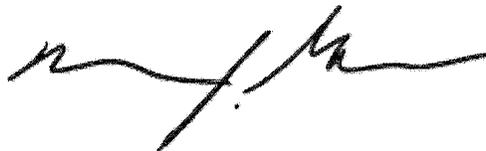
6. In connection with Docket No. 52040 (Advanced Metering), I billed \$700.00 in fees for May 2022. There were no expenses. The services were in connection with getting a settlement agreement filed and related matters. There will be some additional time to review the proposed final order and monitor 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 May 31, 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 \$30,000 in fees, plus some amount of travel expense. 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 June 20, 2022



Norman J. Gordon

ATTACHMENT A
INVOICE MAY 2022 Services
RE: PUCT DOCKET 52195

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

Page: 1
06/20/2022
Account No: 1M

Payments received after 06/20/2022 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>\$11,725.00</u>

Please make checks payable to "Norman J. Gordon"

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

Payments received after 06/20/2022 are not included on this statement.

Fees

			Hours	
05/02/2022	NJG	Start preparation of Memo to client Re: Rate Design settlement issues, Settlement Document Review.	1.80	630.00
05/04/2022	NJG	Tel. B. Slocum re: Rate design issues/ Initial revisions to Rate design memo	0.50	175.00
	NJG	update effect on various classes, relation back Work on Revisions to Rate design memo to client/ Status call with D. Davie and F. Engelbaum	2.90	1,015.00
05/05/2022	NJG	Revise and complete memo to City Attorney re: status of settlement negotiations and agreed up items. Document review of attachments to settlement agreement and new items provided by EPE on 5/5/22	3.80	1,330.00
05/09/2022	NJG	Tel w/ B. Slocum, review of issues in Reduction to billing determinants, Document Review, Tel. w/ S. Carr re: status and impacts.	1.70	595.00
05/11/2022	NJG	Review and note wording issues in proposed order. Prepare new outstanding issues list for City Attorney, Meeting w/ D. Davie re: issues	2.60	910.00
05/12/2022	NJG	E-mails about rate schedules, Tel. w/ B. Slocum, Review notes on proposed order.	0.90	315.00
05/13/2022	NJG	Work on edits to order, E-mails re: status report, Order No. 16,	1.20	420.00
05/16/2022	NJG	Tel. B. Slocum re: status, Work on revisions to order, Tel. J. Brazell re: status and other amounts coming in. Conf w/ D. Davie re: status, response to questions raised.	1.20	420.00
05/17/2022	NJG	Conf call w/ K. Nieman and D Davie re: settlement, Tel. w/ B. Slocum re: status and scheduling of Council meeting, Tel. R. Parish, Tel. J. Brazell	1.40	490.00
05/19/2022	NJG	Review final version of rate case expense submission for filing on 5-20.	0.30	105.00

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

			Hours	
05/20/2022	NJG	E-mails re: council presentation, CONf w/ D. Davie re: Issue in rate case presentation and forwarding and first review of new versions of settlement documents. File Rate case expense submission, Review EPE filings.	2.50	875.00
05/23/2022	NJG	Review new drafts of documents, identify issues, compare exhibits to case and testimony. Tel. C. Johnson re: relation back calculations, Tel. B. Slocum, Meeting w/ D. Davie re: Council action, Tel. B. Slocum re: Council schedule. Calculation of Newman 6 impacts.	3.60	1,260.00
05/24/2022	NJG	Meeting w/ K. Nieman, D. Davie and E. Triggs re: Issues in settlement negotiations, Tel. B. Hallmark re: status, Calculations for impacts for Council discussion, Review of amended presentation and motion, Appear at Executive Session and Open Session of Council to discuss settlement.	5.00	1,750.00
05/25/2022	NJG	Status discussion w/ D. Davie, Provide background information requested by City Attorney's Office.	1.30	455.00
05/26/2022	NJG	Settlement package Tariff review.	1.60	560.00
05/27/2022	NJG	Review of TIEC proposal re: GCRR, E-mails with client and C. Johnson Send proposal to parties.	0.50	175.00
05/31/2022	NJG	Receipt and Review of EPE supplemental discovery responses on rate case expense.	0.70	245.00
		For Current Services Rendered	33.50	11,725.00

Timekeeper	Title	Recap	Hours	Rate	Total
Norman J Gordon			33.50	\$350.00	\$11,725.00
Total Current Work					11,725.00
Balance Due					<u>\$11,725.00</u>

Billing History					
Fees	Expenses	Advances	Finance Charge	Payments	
11,725.00	0.00	0.00	0.00	0.00	

Please make checks payable to "Norman J. Gordon"

ATTACHMENT B
INVOICE FOR SERVICES MAY 2022
RE: PUCT DOCKET 52040

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

Page: 1

06/20/2022

Account No: 1M

Payments received after 06/20/2022 are not included on this statement.

Norman J Gordon
Attorney At Law

1-27 EPE AMS Filing PUC Docket 52040

Balance

\$700.00

Please make checks payable to "Norman J. Gordon"

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

Page: 1
 06/20/2022

Account No: 1-27M
 Statement No: 191

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 AMS Filing PUC Docket 52040

Payments received after 06/20/2022 are not included on this statement.

Fees

			Hours	
05/04/2022	NJG	Receipt and initial review of Remand Order	0.40	140.00
05/09/2022	NJG	Order No. 5 and deadlines, E-mails w/ Client re: issues raised in Order and status.	0.40	140.00
05/11/2022	NJG	E-mails re: EPE Motion for clarification of order, Discussion w/ D. Davie re: issues in motion and potential response.	0.50	175.00
05/12/2022	NJG	PUC Open meeting, (.2), Tel. S. Olson re potential schedule issues, Receipt and review of Order No. 6, E-mail to Client re: schedule and Order No. 6	0.70	245.00
		For Current Services Rendered	<u>2.00</u>	<u>700.00</u>

<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Norman J Gordon	Recap	2.00	\$350.00	\$700.00
	Total Current Work			700.00
	Balance Due			<u>\$700.00</u>

LAW OFFICE of SNAPPER L. CARR
Snapper Carr

No Charges for Docket No. 52195 in May 2022

ReSOLVED ENERGY CONSULTING, LLC
Karl J. Nalepa

No Charges for Docket No. 52195 in May 2022

Daniel J. Lawton

No Charges for Docket No. 52195 in May 2022

CJ ENERGY CONSULTING
Clarence Johnson

No Charges for Docket No. 52195 in May 2022

GARRETT GROUP CONSULTING, INC.
Mark E. Garrett

No Charges for Docket No. 52195 in May 2022

RESOLVE UTILITY CONSULTING, PLLC
David J. Garrett

No Charges for Docket No. 52195 in May 2022

NORWOOD ENERGY CONSULTING, LLC
Scott Norwood

No Charges for Docket No. 52195 in May 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 SEVENTH 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 May 1 through May 31, 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
JUNE 2022	8.5 Hrs	\$2,975.00
TOTAL ACTUAL TO DATE	195.6 Hrs.	\$68,145.00
ESTIMATE TO COMPLETE	10.00 Hrs	\$3,500.00
TOTAL ACTUAL & ESTIMATE	205.6 Hrs	\$71,645.00

5. As shown in the above table I have billed a total of 195.6 hours through May 31, 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.

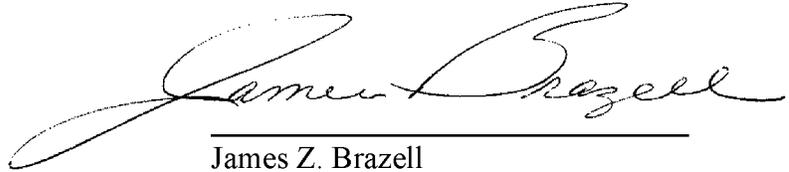
9. I have attached my actual invoices submitted to the City of El Paso for work from May 1 to May 31, 2022.

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.

June 20, 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: June 17, 2022
Re: Inv22-1773; Consulting services in May 2022
From: Law Office of James Z. Brazell; EIN 51-0631337
City of El Paso Vendor No. 100059002

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>
5/12/2022	1:54 P to 4:36 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. Started parts of Sixth Supplemental RCE filing. Received and included responses in Draft filing.	2.7	\$ 350.00	\$ 945.00
5/12/2022	8:36 P to 9:12 P. El Paso. Received and reviewed responses from N. Gordon and S. Carr. Drafted and sent responses. Included data provided in Draft filing.	0.6	\$ 350.00	\$ 210.00
5/13/2022	9:30 A to 9:48 A. El Paso. Received e-mail response from K. Nalepa. Revised Draft filing to reflect Nalepa's data.	0.3	\$ 350.00	\$ 105.00

5/16/2022	10:30 A to 12:36 P. El Paso. E-mails to D. Lawton, M. Garrett, and S. Norwood inquiring ref any invoiced charges in DN 52195 in April 2022. Prepared J. Brazell April declaration. Rec'd and reviewed responses from remaining consultants. Included responses in Draft. Tel. conf. w/ N. Gordon ref timing of his responses and data. Revised Draft to include Brazell April declaration and invoice and to reflect all consultant responses.	2.1	\$	350.00	\$	735.00
5/19/2022	8:48 A to 11:00 A. El Paso. Rec'd and rev'd Norman Gordon's e-mail and attachments sending his data. Included N. Gordon Data in 6th Filing Draft. Compiled and revised 6th Filing Draft. Added data provided by N. Gordon and D. Davie. Revised alignment for order.	2.2	\$	350.00	\$	770.00
5/19/2022	12:54 P to 1:30 P. El Paso. Rec'd e-mail from N. Gordon w/ completed statements for inclusion in May 20th 6th Supplement filing. Saved and moved statements into Draft. Completed Draft and forwarded to N. Gordon. Reviewed draft for errors, finding one error on Bates 000004. Corrected error and e-mailed N. Gordon.	0.6	\$	350.00	\$	210.00
Total		8.50			\$	2,975.00

Section 2: Out of Pocket Expenses & Reimbursable Charges

<u>Date</u>	<u>Vendor / Services</u>	<u>Hours</u>	<u>Rate</u>	<u>Charge</u>
5/1/2022	NA (No Expenses)	NA	NA	NA
Total Expenses & Reimbursable Charges				NA

Section 3: Summary of Charges

		Outstanding Charges/Credits	
<u>Date</u>	<u>Invoice/Payment</u>		
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	Inv22-1772; Consulting services in Apr 2022		\$ 2,310.00
5/26/2022	Payment(s): City Direct Deposit		\$ (2,345.00)
5/31/2022	Payment(s): City Direct Deposit		\$ (4,795.00)
6/9/2022	Payment(s): City Direct Deposit		\$ (6,545.00)
6/14/2022	Payment(s): City Direct Deposit		\$ (2,310.00)
Outstanding Charges/Credits			\$ -
Current Charges			
6/17/2022	Inv22-1773; Consulting services in May 2022		\$ 2,975.00
	Expenses/Reimbursable charges (see above)		NA

Current charges	<u>\$ 2,975.00</u>
Outstanding charges/(credits) (from above)	<u>\$ -</u>
Total due	<u>\$ 2,975.00</u>

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	<u>\$ -</u>
Current retainer balance		<u>\$ -</u>