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

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

**TEXAS COTTON GINNERS' ASSOCIATION SECOND REQUEST FOR
INFORMATION TO EL PASO ELECTRIC COMPANY**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144, the Texas Cotton Ginnings' Association ("TCGA") submits this Second Request for Information to El Paso Electric Company ("EPE") within the timeframe specified in the procedural schedule in this proceeding, or within 20 days pursuant to 16 TAC § 22.144(c)(1) if a procedural schedule has not been adopted.

TCGA requests that EPE provide answers to the request for information under oath as required by 16 TAC § 22.144(c)(2)(F). Each answer should identify the person responsible for preparing that answer (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can vouch for its accuracy and truth. Please answer each request and sub-request in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the request.

Please provide responses to the Requests for Information by filing with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer pursuant to the Order Suspending Rules in Docket No. 50664.

In preparing and submitting its responses, EPE should observe the following definitions and instructions:

DEFINITIONS

1. “EPE,” the “Company,” and “Applicant” refer to El Paso Electric Company, and any person acting or purporting to act on their behalf, including without limitation, directors, officers, employees, consultants, agents, attorneys, advisors, investigators, representatives, or other persons.

2. “Document” and “documents” mean any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tapes, electronic facsimile, computer storage device, film or any other media.

3. The terms “document” and “documents” are used in their broadest sense to include all written or graphic matter of every kind and description whether final or draft, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include, but are not limited to, writings, memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, studies, surveys, statistical compilations, reports, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, calendars, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports and summaries of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form.

4. The terms “document” and “documents” shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.

5. “Identification” of a document includes stating (a) the nature of the document (e.g., letter, memorandum, corporate minutes), (b) the date, if any, appearing thereon, (c) the date, if known, on which the document was prepared, (d) the title of the document, (e) the general subject matter of the document, (f) the number of pages comprising the document, (g) the identity of each person who signed or initialed the document, (h) the identity of each person to whom the document was addressed, (i) the identity of each person who received the document or reviewed it, (j) the location of the document, and (k) the identity of each person having custody of, or control over, the document. Identification of a document includes identifying all documents known or believed to exist, whether or not in the custody of Lone Star or in the custody of its attorneys or other representatives or agents.

6. The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

7. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."

8. "Any" shall be construed to include "all" and "all" shall be construed to include "any."

9. "Provide the basis" means provide all information on or describe every fact, statistic, inference estimate, consideration, conclusion, study and analysis known to EPE that was relied upon in support of the expressed contention, proposition, conclusion or statement.

10. 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.

11. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

INSTRUCTIONS

1. Pursuant to Rule 196.4 of the TEXAS RULES OF CIVIL PROCEDURE, TCGA specifically requests that any electronic or magnetic data that is responsive to a request herein be produced on CD-ROM in a format that is compatible with Microsoft office software or other "native" applications as applicable and be produced with your response to these requests. If emails are responsive to these requests, please provide a printed copy of the entire email string. Attachments to emails should be printed or, if the attachment is an Excel or similar file, should be provided in native format on CD-ROM.

2. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

3. Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

4. If information requested is included in previously furnished exhibits, work papers, and responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-reference.

5. Answer as Information Becomes Available. Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.

6. Continuing in Nature. These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer between the time of your original response and the time of the hearings, then you should submit, under oath, a supplemental response to your earlier answer pursuant to 16 TAC § 22.144(i).

7. Furnish Supporting Data. In answering these questions, furnish all supporting information that is available to you, including information in the possession of your agents, employees, and representatives, all others from whom you may freely obtain it, and your attorneys and their investigators.

8. Claim of Privilege. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

9. Claim that Response is Voluminous. Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.

10. Claim that Question is Burdensome. If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please call the undersigned counsel as soon as possible to discuss the situation and to try to resolve the problem.

11. Claim that Question is Confusing. If any question appears confusing, please request clarification from the undersigned counsel.

12. Claim that Question Seeks Proprietary Information. If you object to any of the questions on the grounds that the question seeks proprietary information, or on any other grounds, please call the undersigned counsel as soon as possible.

Dated: August 5, 2021

Respectfully submitted,

BRADY & HAMILTON, LLP



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ATTORNEYS FOR INTERVENOR

TEXAS COTTON GINNERS' ASSOCIATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served by email on all parties known of record who have provided an email address, on this the 5th day of August, 2021, in accordance with the Commission's Second Order Suspending Rules issued on July 16, 2020, in Project No. 50664.


Laura A. W. Pratt

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QUESTION NOS. TCGA 2-1 THROUGH TCGA 2-2

- | | |
|----------|---|
| TCGA 2-1 | Provide the monthly substation peak demands for any substation that serves customers served by the cotton gin rate for the test-year. |
| TCGA 2-2 | Provide the monthly peak demand annual peak load and the month of the peak load for each distribution substation for the test-year. |