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SOAH DOCKET NO. 473-22-2601
PUC DOCKET NO. 53551

APPLICATION OF EL PASO	§	BEFORE THE STATE OFFICE
ELECTRIC COMPANY FOR	§	
APPROVAL TO REVISE ITS	§	
ENERGY EFFICIENCY COST	§	OF
RECOVERY FACTOR AND	§	
REQUEST TO ESTABLISH REVISED	§	
COST CAPS	§	ADMINISTRATIVE HEARINGS

**JOINT MOTION TO GRANT INTERVENTION, ADMIT EVIDENCE AND REMAND
TO THE COMMISSION**

El Paso Electric Company (EPE), the Staff of the Public Utility Commission of Texas (Commission) and the City of El Paso, (collectively, the Parties) submit this Joint Motion. The only other party to this proceeding, Texas Industrial Energy Consumers, while not signing the Agreement, has stated that it does not oppose this motion.

I. Intervention of City of El Paso

It appears that the City of El Paso's request to intervene has not been granted. To clarify the City of El Paso's role in this proceeding, the parties request the City of El Paso's motion to intervene be granted.

II. Admission of Evidence

As evidenced by the concurrently filed Stipulation and Settlement Agreement (Agreement) with its accompanying Proposed Order, there are no remaining disputed issues, and no hearing is required in this proceeding. In support of that Agreement, the parties to the Agreement request the following evidence be admitted into the record:

- a. EPE's Exhibits that it listed for admission in its filing of September 16, 2022, which includes the following exhibits:
 - 1. Petition and Attachments
 - 2. Proof of Notice
 - 3. Direct Testimony of Crystal Enoch
 - 3A CONFIDENTIAL Exhibit CAE-07
 - 4. Direct Testimony of Victor Silva
 - 5. Rebuttal Testimony of Crystal Enoch
 - 6. Rebuttal Testimony of Victor Silva

- b. Staff's Exhibits that it listed for admission in its filing of September 16, 2022, which includes the following exhibits (and intentionally does not include an Exhibit 1):

- 2 El Paso Electric Company's Response to Staff's 1st RFI
- 2A El Paso Electric Company's Confidential Response to Staff's 1st RFI
- 3 El Paso Electric Company's Response to Staff's 2nd RFI
- c. City of El Paso's Exhibits that it listed in its filing of September 16, 2022, which includes the following exhibits:
 - 1. Direct Testimony Exhibits and Workpapers of Karl J Nalepa (with Amended Attachment "E") (87 pages)
 - 2. EPE Reply to CEP RFI 2-6 (1 page)
 - 3. EPE Reply to CEP RFI 2-11 (1 page)
 - 4. EPE Reply to CEP RFI 2-5 (1 page)
 - 5. EPE Reply to CEP RFI 2-12 (2 pages)
- d. the Agreement and its attachment; and
- e. the testimony of Staff witness Tsungirirai Gatora in support of the Agreement.

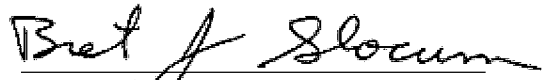
III. Request for Remand to Commission

In light of the Agreement, which resolves all issues in this proceeding, the Parties to the Agreement request this docket be remanded to the Commission in order to allow the Commission to review and consider the Agreement as soon as possible.

Attached for the Administrative Law Judge's convenience is a draft order consistent with the parties' request.

Respectfully submitted,

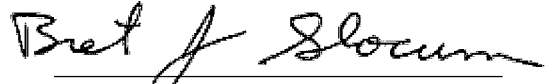
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Bret J. Slocum

**ATTORNEY FOR EL PASO
ELECTRIC COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served by email on all parties of record in this proceeding on October 18, 2022.


Bret J. Slocum

**SOAH DOCKET NO. 473-22-2601
PUC DOCKET NO. 53551**

APPLICATION OF EL PASO ELECTRIC COMPANY FOR APPROVAL TO REVISE ITS ENERGY EFFICIENCY COST RECOVERY FACTOR AND REQUEST TO ESTABLISH REVISED COST CAPS	§ § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**SOAH ORDER NO. 7
GRANTING INTERVENTION, ADMITTING EVIDENCE,
AND REMAND OF THE DOCKET TO THE COMMISSION**

On October 18, 2022, El Paso Electric Company (EPE) filed a Stipulation and Settlement Agreement (Agreement) that resolves all issues in this proceeding. EPE also concurrently filed a Joint Motion on behalf of the parties to the Agreement requesting the granting of intervention to the City of El Paso, the admission of certain evidence, and remand of this proceeding to the Commission. The only other party to this proceeding, Texas Industrial Energy Consumers, while not signing the Agreement, has stated it does not oppose the Agreement.

The requests in the Joint Motion are granted. The City of El Paso's Motion to Intervene is GRANTED.

The Joint Motion requests that the following materials be admitted into the evidentiary record of this proceeding:

- a. EPE's Exhibits that it listed for admission in its filing of September 16, 2022, which includes the following exhibits:
 1. Petition and Attachments
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- d. the Agreement and its attachment; and
- e. the testimony of Staff witness Tsungirirai Gotori in support of the Agreement.

As demonstrated by the Agreement, there are no disputed issues, and no hearing is required in this proceeding. Therefore, the Motion to Admit Evidence is GRANTED and the request to remand this docket, including the draft proposed order, to the Commission is GRANTED to allow the Commission to review and consider the Agreement as soon as possible. An electronic version of the Proposed Order (Exhibit B to the Agreement) SHALL be submitted promptly to the Commission via cadmorders@puc.texas.gov.

SIGNED: October __, 2022.

CHRISTIAAN SIANO
PRESIDING ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

**SOAH DOCKET NO. 473-22-2601
PUC DOCKET NO. 53551**

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SIGNED: October __, 2022.

**CHRISTIAAN SIANO
PRESIDING ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS**