



## **Filing Receipt**

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**Item Number - 36**

**SOAH DOCKET NO. 473-24-04312**  
**PUC DOCKET NO. 54614**

<b>APPLICATION OF EL PASO</b>	<b>§</b>	<b>STATE OFFICE</b>
<b>ELECTRIC COMPANY FOR</b>	<b>§</b>	
<b>APPROVAL OF TEXAS ELECTRIC</b>	<b>§</b>	<b>OF</b>
<b>VEHICLE-READY PILOT</b>	<b>§</b>	
<b>PROGRAMS</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**REQUEST FOR APPROVAL OF AGREED PROPOSED PROCEDURAL SCHEDULE**  
**AND DISCOVERY PROCEDURES**

In response to SOAH Order No. 2 and based on the discussions and agreement of the parties, El Paso Electric Company (EPE or Applicant) submits the following agreed procedural schedule and discovery procedures and requests approval thereof:

**I. Agreed Procedural Schedule**

<b>DEADLINE</b>	<b>EVENT</b>
January 31, 2023	Application filed
March 2, 2023	Commission Staff filed its comments on the sufficiency of the application and the proposed notice
March 17, 2023	EPE filed its Proof of Notice
March 17, 2023	Intervention deadline
September 1, 2023	Effective Date of SB 1002
September 22, 2023	EPE filed Supplemental Testimony
November 1, 2023	Order of Referral to SOAH Issued
November 21, 2023	Pre-hearing Conference
January 12, 2024	Objections to EPE’s direct and supplemental testimony
January 19, 2024	Response to objections to EPE’s direct and supplemental testimony
February 13, 2024	Settlement Conference 1 <sup>1</sup>
February 20, 2024	<b>Intervenor Direct Testimony</b> ; Written discovery on EPE’s direct and supplemental testimony ends
February 27, 2024	<b>Staff’s Direct Testimony</b> ; Objections to Intervenor direct testimony
March 12, 2024	<b>EPE’s Rebuttal and Parties’ Cross-Rebuttal</b> ; Objections to Staff’s direct testimony; Response to objections to Intervenor’s direct testimony

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<sup>1</sup> Parties do not request a referral of this docket to mediation but will revisit the issue at Settlement Conference 1.

March 19, 2024	<b>Settlement Conference 2;</b> Objections to EPE's rebuttal and Parties cross-rebuttal; Response to objections to Staff's direct testimony
March 19, 2024	Discovery ends
March 26, 2024	Response to objections to EPE's rebuttal and Parties cross-rebuttal
March 29, 2024	Pre-hearing filings due – identification of exhibits, exhibit lists, witness lists, and order of presentation
April 2, 2024	<b>Hearing on the Merits</b>

## **II. Agreed Discovery Procedures**

The parties agreed to the following regarding discovery:

1. Drafts of testimony and emails that include drafts of testimony as attachments are not discoverable.
2. A discovery hiatus will be imposed from December 22, 2023 through January 1, 2024. Discovery shall not be served during this period, and days during this period shall not count towards the deadlines for responding to discovery.
3. Four business day response time for discovery on Intervenor and Staff direct testimony, EPE rebuttal, and parties' cross-rebuttal; objections shall be filed within four business days of receipt of the discovery; motions to compel shall be filed within three business days of receipt of the objections (or at the hearing, whichever is earlier); and responses to motions to compel shall be filed within three business days of receipt of the motion to compel (or at the hearing, whichever is earlier).
4. No depositions of EPE witnesses between Intervenor direct testimony and rebuttal testimony deadlines.
5. All testimony workpapers are due one business day after the applicable testimony deadline.

## **III. Conclusion**

EPE requests that the Administrative Law Judge issue an order approving the preceding agreed schedule and discovery procedures and any further relief to which it is entitled.

Respectfully Submitted,



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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this Request was served on all parties of record via email on November 30, 2023, pursuant to the Second Order Suspending Rules issued in Project No. 50664.



Everett Britt