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Item Number - 43

**SOAH DOCKET NO. 473-23-04312
PUC DOCKET NO. 54614**

APPLICATION OF EL PASO ELECTRIC	§	BEFORE THE STATE OFFICE	§
COMPANY FOR APPROVAL OF	§	OF	§
TEXAS ELECTRIC VEHICLE-READY	§	ADMINISTRATIVE HEARINGS	§
PILOT PROGRAM AND TARIFFS	§		

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 University of Illinois at Urbana-Champaign. I have been in 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. 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. The City of El Paso ("City") engaged me to act as outside counsel for it in this case *Application of El Paso Electric Company for Approval of Texas Electric Vehicle-Ready Pilot Program*, PUC Docket No 54614 , SOAH Docket No. 473-23-04312/

5. In connection with the case, the amount incurred for services through January 31, 2024 is \$1,312.50 in fees. There have been no charged expenses to date. The description of services is provided in the attached invoices, by day and services performed. The invoices and support are attached to this Declaration as Attachment "A" and incorporated herein There were no charges for

first class travel or hotel expense. There is no markup on the expenses. The expenses were reasonable.

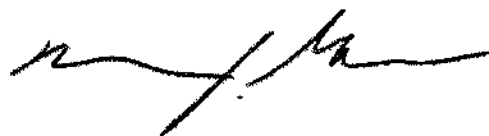
6. This case is ongoing. I currently estimate that the additional \$15,000-\$20,000, if the case goes to hearing as scheduled in April 2024. The remaining work is the review and analysis of the testimony of other intervenors, the PUC staff and El Paso Electric rebuttal. the possibility of cross-rebuttal, discovery as necessary on other parties and El Paso Electric, the conduct of the hearing, including the preparation of exhibits, post hearing briefing, and as necessary Exceptions to the Proposal for Decision. Additional expenses will include copying and hearing transcripts, and potential travel to Austin for Open Meetings. I expect to supplement this declaration at a later time.

7. I am familiar with the hourly rates charged by others in Texas with similar or less experience for similar work, through the cases in which I have acted as counsel and through the cases in which I have filed testimony. The hourly rates charged by me of \$375.00 was reasonable.

8. All of the work done by me 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. The expenses incurred are all reasonable and necessary for the presentation and prosecution of the City's case.

Further Declarant Says Not.

Dated February 20, 2024

A handwritten signature in black ink, appearing to read 'N. J. Gordon', written in a cursive style.

Norman J. Gordon

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COMPANY FOR APPROVAL OF §
TEXAS ELECTRIC VEHICLE-READY §
PILOT PROGRAM AND TARIFFS §**

**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

**ATTACHMENT A TO
DECLARATION OF NORMAN J. GORDON**

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

Page: 1
02/19/2024
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 02/19/2024 are not included on this statement.

Norman J Gordon
Attorney At Law

	Balance
1-53 PUC Docket 54614 EV Charging	<u>\$1,312.50</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

PUC Docket 54614 EV Charging

Page: 1
02/19/2024
Account No: 1-53M
Statement No: 233

Payments received after 02/19/2024 are not included on this statement.

Fees

			Hours	
10/02/2023	NJG	Review Filing, and EPE supplemental testimony	0.90	337.50
11/03/2023	NJG	Review Preliminary Order	0.40	150.00
01/12/2024	NJG	Review Scheduling Order	0.30	112.50
01/15/2024	NJG	Review responses to OPUC RFI's, Review similar Filing in New Mexico, Identify issues that may pertain to Texas.	1.90	712.50
		For Current Services Rendered	3.50	1,312.50

Recap

<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Norman J Gordon		3.50	\$375.00	\$1,312.50
Total Current Work				1,312.50
Balance Due				<u>\$1,312.50</u>

		Billing History		
<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>
1,312.50	0.00	0.00	0.00	0.00

Please make checks payable to "Norman J. Gordon"