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Filing Date - 2024-07-03 10:28:33 AM

Control Number - 56572

Item Number - 29

**SOAH DOCKET NO. 473-24-17664
PUC DOCKET NO. 56572**

APPLICATION OF EL PASO ELECTRIC COMPANY TO ADJUST ITS ENERGY EFFICIENCY COST RECOVERY FACTOR	§ § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CITY OF EL PASO'S
RESPONSE TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

The City of El Paso provides its responses to El Paso Electric Company's (EPE) first Requests for Information were serviced on June 18th, 2024. The responses may be treated as if they are under oath. This response is filed within 20 days of the date of service and is therefore timely.

Dated: July 3, 2024.

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

Donald C. Davie (dday@scotthulse.com)
State Bar No. 24095524
ScottHulse P.C.
One San Jacinto Plaza
201 E. Main Dr., Suite 1100
El Paso, Texas, 79901
(915) 546-8284

Karla M. Nieman, City Attorney

State Bar No. 24048542
Matthew G. Marquez, Assistant City Attorney
State Bar No. 24116720
City of El Paso
300 N. Campbell, 2nd Floor
El Paso, Texas 79901
(915) 212-0033
(915) 212-0034 (fax)
niemankm@elpasotexas.gov
marquezMG@elpasotexas.gov
Attorneys for the City of El Paso

Don Davie

By: _____
Donald C. Davie

Certificate of Service

I certify that a true and correct copy of the foregoing document was served on all parties of record in this proceeding on this 3rd day of July 2024 by facsimile, electronic mail, and/or first class, U.S. Mail.

Don Davie

Donald C. Davie

**SOAH DOCKET NO. 473-24-17664
PUC DOCKET NO. 56572**

APPLICATION OF EL PASO	§	BEFORE THE STATE OFFICE
ELECTRIC COMPANY TO	§	
ADJUST ITS ENERGY	§	OF
EFFICIENCY COST	§	
RECOVERY FACTOR	§	ADMINISTRATIVE HEARINGS

**CITY OF EL PASO'S
RESPONSE TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

STAFF 1-1: Please reference the Direct Testimony of Rene F. Gonzalez (Adopting the Pre-filed Testimony of Victor H. Silva), page 4 of 12, question 11. Please provide supporting documentation for the City of El Paso's 2023 EECRF proceeding expenses totaling \$22,259.00.

RESPONSE: The City of El Paso's 2023 EECRF proceeding expenses in Docket 54950 were \$11,387.50. It appears that the \$22,259.00 as indicated in the Direct Testimony of Rene F. Gonzalez (Adopting the Pre-filed Testimony of Victor H. Silva) were the City's Expenses in Docket 53551 which were considered and approved in Docket 54950. See the invoices attached as Attachment "A" (18 pages).

Prepared by: Donald C. Davie

Witness: TBD

**SOAH DOCKET NO. 473-24-17664
PUC DOCKET NO. 56572**

APPLICATION OF EL PASO	§	BEFORE THE STATE OFFICE
ELECTRIC COMPANY TO	§	
ADJUST ITS ENERGY	§	OF
EFFICIENCY COST	§	
RECOVERY FACTOR	§	ADMINISTRATIVE HEARINGS

**CITY OF EL PASO'S
RESPONSE TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

ATTACHMENT "A" INVOICES

OFFICE OF THE COMPTROLLER



VP 23075469
Entered by Ayd  Morales
PS Approval Sandra
Garcia PS Date 06/21/23

PAYMENT REQUEST

VOUCHERS PREVIOUSLY UNENCUMBERED

Date: June 6, 2023

Vendor number: 1000041392

Terms: 30

Vendor name: ReSolved Energy Consulting LLC

Remit Address: PO BOX 90908
Austin, TX 78709

Invoice No.: 5270

Description: CEP EPE EECRF 54950 - Utilities

Message: May 2023

Amount: \$1,265 - 4.6 Hrs.

Distribution Code:

Account: 521100

Dept. ID: 103

Fund: 1000

Division: 10550

Program Code:

Project/Grant:

Activity: \$1,265

Requested by: Donald C. Davie

Date: See Attached

Approved by: Karla M. Nieman

Date: 6/21/23

ReSolved Energy Consulting, LLC

PO BOX 90908
Austin, TX 78709

Invoice

DATE	INVOICE NUMBER
6/6/2023	5270

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950

PROJECT

CEP EPE EECRF 54950

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa)	4.6	275.00	1,265.00
Work Completed thru - May 31, 2023	TOTAL DUE		\$1,265.00

Monthly Recap

Karl Nalepa

Date	Task	Hours
May 18, 2023	Review application.	0.80
May 19, 2023	Review application.	1.20
May 22, 2023	Review Staff discovery. Work on analysis.	1.30
May 24, 2023	Work on analysis and discovery.	1.20
May 30, 2023	Review procedural schedule.	0.10

4.60

APPROVED FOR PAYMENT

Legal Department

DEPARTMENT

Evan Reed

PRINT NAME

Evan Reed

SIGNATURE

6/13/23

915-212-0033

DATE

PHONE #

APPROVED FOR PAYMENT

Legal Department

DEPARTMENT

Donald Davie

PRINT NAME

Donald C. Davie

SIGNATURE

915-212-0033

DATE

6/13/23

PHONE #

OFFICE OF THE COMPTROLLER



VP 23088191

Entered by Sandra Garcia

PS Approval C. Contreras

PS Date 08/03/2023

PAYMENT REQUEST

VOUCHERS PREVIOUSLY UNENCUMBERED

Date: July 6, 2023

Vendor number: 1000043192

Terms: 30

Vendor name: ReSolved Energy Consulting LLC

Remit Address: PO BOX 90908
Austin, TX 78709

Invoice No.: 5299

Description: CEP EPE EECRF 54950 - Utilities

Message: June 2023

Amount: \$605 - 2.2 Hrs.

Distribution Code:

Account: 521100

Dept. ID: 103

Fund: 1000

Division: 10550

Program Code:

Project/Grant:

Activity: \$1,870

Requested by: Donald C. Davie

Date: See Attached

Approved by: Karla M. Nieman

Date: 8/3/2023

A handwritten signature in black ink, appearing to read "Karla M. Nieman", is written over the printed name.

ReSolved Energy Consulting, LLC

PO BOX 90908
Austin, TX 78709

Invoice

DATE	INVOICE NUMBER
7/6/2023	5299

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950

PROJECT

CEP EPE EECRF 54950

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa) APPROVED FOR PAYMENT <i>Legal Department</i> DEPARTMENT <u>Donald Davie</u> PRINT NAME <u>Donald C. Davie</u> SIGNATURE <u>915-212-0033</u> DATE <u>7/24/23</u> PHONE # APPROVED FOR PAYMENT <i>Legal Department</i> DEPARTMENT <u>Evan Reed</u> PRINT NAME <u>Evan Reed</u> SIGNATURE <u>7/27/23</u> <u>915-212-0033</u> DATE <u>7/27/23</u> PHONE #	2.2	275.00	605.00
Work Completed thru - June 30, 2023	TOTAL DUE \$605.00		

Monthly Recap

Karl Nalepa

Date	Task	Hours
<i>June 1, 2023</i>	Review request for hearing.	0.10
<i>June 2, 2023</i>	Review responses to Staff discovery.	0.30
<i>June 20, 2023</i>	Review filing and work on discovery.	1.00
<i>June 30, 2023</i>	Review responses to Staff discovery. Work on discovery.	0.80

2.20

OFFICE OF THE COMPTROLLER



vp 23093562

Entered by Sandra Garcia
PS Approval C. Contreras
PS Date 08/18/2023

PAYMENT REQUEST

VOUCHERS PREVIOUSLY UNENCUMBERED

Date: August 2, 2023

Vendor number: 1000043192

Terms: 30

Vendor name: ReSolved Energy Consulting LLC

Remit Address: PO BOX 90908
Austin, TX 78709

Invoice No.: 5319

Description: CEP EPE EECRF 54950

Message: July 2023

Amount: \$2,062.50 - 7.5 Hrs.

Distribution Code:

Account: 521100

Dept. ID: 103

Fund: 1000

Division: 10550

Program Code:

Project/Grant:

Activity: \$3,932.50

Requested by: Donald C. Davie

Date: See Attached

Approved by: Karla M. Nieman

Date: 8/15/2023

A handwritten signature in black ink, appearing to read "Karla M. Nieman", is written over the printed name.

ReSolved Energy Consulting, LLC

PO BOX 90908
Austin, TX 78709

Invoice

DATE	INVOICE NUMBER
8/2/2023	5319

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950

PROJECT

CEP EPE EECRF 54950

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa)	7.5	275.00	2,062.50
<div><div><div>APPROVED FOR PAYMENT</div><div>Legal Department</div><div>DEPARTMENT</div><div>PRINT NAME</div><div>SIGNATURE</div><div>DATE</div><div>8/9/23</div><div>PHONE #</div><div>915-212-0033</div></div><div><div>APPROVED FOR PAYMENT</div><div>Legal Department</div><div>DEPARTMENT</div><div>PRINT NAME</div><div>SIGNATURE</div><div>DATE</div><div>8/9/23</div><div>PHONE #</div><div>915-212-0033</div></div></div>			
Work Completed thru - July 31, 2023	TOTAL DUE		
	\$2,062.50		

Monthly Recap

Karl Nalepa

Date	Task	Hours
July 4, 2023	Review filing and prepare discovery.	2.00
July 5, 2023	Complete discovery and send to N. Gordon for review.	1.00
July 6, 2023	Review confidential materials.	0.50
July 17, 2023	Work on analysis.	1.30
July 18, 2023	Work on analysis.	1.20
July 25, 2023	Review responses to discovery. Work on analysis.	1.50
		7.50

OFFICE OF THE COMPTROLLER



VP24005280

Entered by Sandra Garcia
PS Approval Coral
Contreras
PS Date 09/25/2023

PAYMENT REQUEST

VOUCHERS PREVIOUSLY UNENCUMBERED

Date: September 18, 2023

Vendor number: 1000052075

Terms: 30

Vendor name: Norman J Gordon

Remit Address: PO Box 8, El Paso, TX

Invoice No.: 214

Description: EPE EECRF 2024 DN 54950

Message: Aug 2023

Amount: \$3,487.50 - 9.3 Hrs.

Distribution Code:

Account: 521100

Dept. ID: 103

Fund: 1000

Division: 10550

Program Code:

Project/Grant:

Activity: \$3,487.50

Requested by: Donald C. Davie

Date: See Attached

Approved by: Karla M. Nieman

Date: 9/25/2023

A handwritten signature in black ink, appearing to read "Karla Nieman", is written over the printed name.

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

Page: 1
09/18/2023
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 09/18/2023 are not included on this statement.

Norman J Gordon
Attorney At Law

	Balance
1-48 EPE EECRF 2024 DN 54950	<u>\$3,487.50</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

EPE EECRF 2024 DN 54950

Page: 1
 09/18/2023
 Account No: 1-48M
 Statement No: 214

Payments received after 09/18/2023 are not included on this statement.

Fees

			Hours	
05/15/2023	NJG	Review of filing/testimony and revised 2024 plan, Tel. K. Nalepa.	1.50	562.50
05/16/2023	NJG	Review EPE Proposed schedule E-mail to K. Nalepa re: schedule.	0.20	75.00
05/31/2023	NJG	Prepare and File Request for Hearing	0.20	75.00
07/05/2023	NJG	Prepare and serve First RFI's to EPE	0.60	225.00
07/07/2023	NJG	Review EPE Confidential/HSPM material made available.	0.50	187.50
08/04/2023	NJG	Review Discovery Responses from EPE.	0.70	262.50
08/07/2023	NJG	Prepare Declaration re: City Expenses for DN 53551(2022 case)	0.40	150.00
08/08/2023	NJG	Review EPE testimony re: issues raised by K. Nalepa, Review draft testimony and identify issues/ E-mails re: draft testimony	1.70	637.50
08/09/2023	NJG	Suggested Revisions and comments to testimony, Emails w/ K. Nalepa	0.80	300.00
08/10/2023	NJG	Finalize Nalepa testimony including declaration from 2022 case, file and serve	1.80	675.00
08/23/2023	NJG	E-mails re: settlement on Black Box and Nalepa Recommendation.	0.50	187.50
08/25/2023	NJG	Review and Approve Motion to Abate Schedule for potential Settlement.	0.20	75.00
08/28/2023	NJG	Review and forward SOAH Order No. 3.	0.20	75.00
		For Current Services Rendered	9.30	3,487.50

City of El Paso

Page: 2
09/18/2023
Account No: 1-48M
Statement No: 214

EPE EECRF 2024 DN 54950

	Recap			
Timekeeper	Title	Hours	Rate	Total
Norman J Gordon		9.30	\$375.00	\$3,487.50
Total Current Work				3,487.50
Balance Due				<u>\$3,487.50</u>

Billing History				
Fees	Expenses	Advances	Finance Charge	Payments
3,487.50	0.00	0.00	0.00	0.00

APPROVED FOR PAYMENT
Legal Department
DEPARTMENT
PRINT NAME Donald Davie
SIGNATURE Donald C. Davis
DATE 9/21/23 PHONE # 915-212-0033

APPROVED FOR PAYMENT
Legal Department
DEPARTMENT
PRINT NAME Juan Gonzalez
SIGNATURE Juan Gonzalez
DATE 9/21/23 PHONE # 915-212-0033

Please make checks payable to "Norman J. Gordon"

OFFICE OF THE COMPTROLLER



VP 24005317

Entered by Sandra Garcia
PS Approval Coral
Contreras
PS Date 09/25/2023

PAYMENT REQUEST

VOUCHERS PREVIOUSLY UNENCUMBERED

Date: September 7, 2023

Vendor number: 1000043192

Terms: 30

Vendor name: ReSolved Energy Consulting LLC

Remit Address: PO BOX 90908
Austin, TX 78709

Invoice No.: 5349

Description: CEP EPE EECRF 54950 -

Message: August 2023

Amount: \$3,300 - 12 Hrs.

Distribution Code:

Account: 521100

Dept. ID: 103

Fund: 1000

Division: 10550

Program Code:

Project/Grant:

Activity: \$7,232.50

Requested by: Donald C. Davie

Date: See Attached

Approved by: Karla M. Nieman

Date: 9/25/2023

A handwritten signature in black ink, appearing to read "Karla M. Nieman", is written over the printed name.

ReSolved Energy Consulting, LLC

PO BOX 90908
Austin, TX 78709

Invoice

DATE	INVOICE NUMBER
9/7/2023	5349

BILL TO

City of El Paso
Attn: Office of the City Attorney
PO Box 1890
El Paso, TX 79950

PROJECT

CEP EPE EECRF 54950

DESCRIPTION	HOURS	RATE	AMOUNT
Consulting (Nalepa) APPROVED FOR PAYMENT <i>Legal Department</i> DEPARTMENT <i>Donald Davie</i> PRINT NAME <i>Donald C. Davie</i> SIGNATURE <i>915-212-0033</i> DATE <i>9/14/23</i> PHONE # APPROVED FOR PAYMENT <i>Legal Department</i> DEPARTMENT <i>Juan Gonzalez</i> PRINT NAME <i>Juan Gonzalez</i> SIGNATURE <i>915-212-0033</i> DATE PHONE #	12	275.00	3,300.00
Work Completed thru - August 31, 2023		TOTAL DUE	\$3,300.00

Monthly Recap

Karl Nalepa

Date	Task	Hours
August 6, 2023	Work on draft testimony.	4.00
August 7, 2023	Complete draft testimony and send to N. Gordon for review.	2.70
August 8, 2023	Review and incorporate edits into testimony. Send revised draft to N. Gordon. Compile and send testimony attachments to N. Gordon. Prepare rate case expense declaration.	2.30
August 9, 2023	Incorporate final edits into testimony and prepare workpapers.	2.00
August 10, 2023	Complete workpapers and send to N. Gordon. Review final testimony filing package.	0.80
August 23, 2023	Review EPE settlement offer and send comments to N. Gordon.	0.20

12.00

OFFICE OF THE COMPTROLLER



VP 24031629

Entered by Sandra Garcia
PS Approval Coral
Contreras
PS Date 01/03/2024

PAYMENT REQUEST

VOUCHERS PREVIOUSLY UNENCUMBERED

Date: December 15, 2023

Vendor number: 1000052075

Terms: 30

Vendor name: Norman J Gordon

Remit Address: PO Box 8, El Paso, TX

Invoice No.: 226

Description: EPE EECRF 2024 DN 54950

Message: Nov 2023

Amount: \$667.50 - 1.8 Hrs.

Distribution Code:

Account: 521100

Dept. ID: 103

Fund: 1000

Division: 10550

Program Code: P { . . }

Project/Grant:

Activity: \$4,155

Requested by: Donald Davie

Date: See Attached

Approved by: Karla M. Nieman

Date: 12/21/2023

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

Page: 1
12/15/2023
Account No: 1-48M
Statement No: 226

Attn: Karla M. Nieman

EPE EECRF 2024 DN 54950

Payments received after 12/15/2023 are not included on this statement.

Fees

			Hours	
09/19/2023	NJG	Review of Settlement documents	0.50	187.50
09/28/2023	NJG	Review Settlement documents, Staff edits	0.60	225.00
09/29/2023	NJG	execution of Settlement agreement, Review Staff Memo/testimony	0.40	150.00
11/30/2023	NJG	Review Final Order approved on 11/30	0.30	105.00
		For Current Services Rendered	1.80	667.50

Recap

Timekeeper	Title	Hours	Rate	Total
Norman J Gordon		0.30	\$350.00	\$105.00
Norman J Gordon		1.50	375.00 ✓	562.50

Total Current Work 667.50

Balance Due \$667.50

Billing History

Fees	Expenses
667.50	0.00

APPROVED FOR PAYMENT
Legal Department
DEPARTMENT
Donald Davie
PRINT NAME *Donald C. Davis*
SIGNATURE
12/19/23 915-212-0033
DATE PHONE #

Advances	Finance Charge	Payments
0.00	0.00	0.00

APPROVED FOR PAYMENT
Legal Department
DEPARTMENT
Juan Gonzalez
PRINT NAME
SIGNATURE
2023.12.26 915-212-0033
DATE PHONE #

Please make checks payable to "Norman J. Gordon"