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**SOAH DOCKET NO. 473-24-25125
PUC DOCKET NO. 56954**

**APPLICATION OF TEXAS-NEW
MEXICO POWER COMPANY FOR
APPROVAL OF A SYSTEM
RESILIENCY PLAN**

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**PUBLIC UTILITY COMMISSION

OF TEXAS**

**TEXAS-NEW MEXICO POWER COMPANY'S
FIRST REQUEST FOR INFORMATION TO OPUC**

Texas-New Mexico Power Company ("TNMP") requests that the Office of Public Utility Counsel ("OPUC") provide the information requested and answer the attached questions under oath. It is further requested that the questions be answered in the order in which they are asked with as much detail as is required to fully present all of the relevant facts. Pursuant to SOAH Order No. 2, OPUC has 3 calendar days from receipt of these Requests to object, and 5 calendar days from receipt of these Requests to respond.

Respectfully submitted,

/s/ Stephanie C. Sparks

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**ATTORNEYS FOR TEXAS-NEW
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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of October 2024, a true and correct copy of the foregoing document was transmitted to the parties of record in accordance with 16 Tex. Admin. Code § 22.74.

/s/ Stephanie C. Sparks
Stephanie C. Sparks

DEFINITIONS & INSTRUCTIONS

Please answer the attached questions on separate pages and copy the question immediately above the answer to each question. Following each answer, please identify the witness or witnesses who will sponsor each of your answers at the hearing in this PUC Docket No. 56954. These questions are continuing in nature and, should there be a change in circumstances that would modify or change any of your answers, then, in each such case, please change or modify such answer and submit such changed answer as a supplement to the original answer within five (5) working days of your discovery that such change or modification is appropriate.

In answering these requests for information, you are requested to furnish such information as is available to you, including information which you are able to obtain by due diligence from your present or former attorneys, accountants, investigators, consultants, employees, agents, and persons acting on your behalf. To the extent any information responsive to a general question is also responsive to another more specific question, provide the information in response to the more specific request.

If you are unable to answer any request fully and completely after exercising due diligence to make inquiry and to secure information, you are to answer such request as fully and completely as you can and to specify the portions which you are unable to answer in such request. In addition to specifying those portions, you are to state with regard to each portion:

1. The fact on which you base the contention that you are unable to answer that portion;
2. The knowledge, information, and belief you have concerning that portion; and
3. The acts done and inquiries made by you in attempting to answer such request.

The singular includes the plural and the plural includes the singular.

Masculine, feminine, or neuter pronouns do not exclude the other genders.

The words “document” and “documents” have the broadest meaning that can be ascribed to them pursuant to the Texas Rules of Civil Procedure. Among other things, the words “document” and “documents” mean the final form and all drafts and revisions of any kind of written or graphic matter, original or reproduced copy, however produced or reproduced, of any kind and of every kind, and all copies there from that are different in any way from the original regardless of whether designated “confidential,” “privileged,” or otherwise restricted. Without limiting the generality of the foregoing, the words “document” and “documents” also include information stored or maintained on, or which could be reproduced from, any form of storage or storage device including, without limitation, film, microfilm, computer printout, disk or diskette, magnetic tape, cassette, phonographic disc, videotape, compact disk, DVD, or similar means.

The words “and” and “or” shall be construed conjunctively or disjunctively as necessary to bring within each request all documents which might otherwise be construed as outside its scope.

The words “person” and “persons” as used herein, mean all individuals and entities, and shall be deemed to include natural persons, firms, partnerships, associations, organizations, joint ventures, corporations, and any other entities.

The words “relate,” “related,” “relates,” and “relating,” as used herein, mean involving, relating to, referring to, having any relationship to, pertaining to, evidencing or constituting evidence of, in whole or in part.

The words “identify” and “identification,” when used in reference to a document, mean to state:

1. its date;

2. its author;
3. its addressee;
4. the type of document (e.g., letter, memorandum, receipt, invoice, schedule, report, telegram, chart, photograph, etc.).

All computer readable data should be provided by mutually agreed secure electronic transfer mechanism.

The term “TNMP” as used herein, shall refer to Texas-New Mexico Power Company and all people acting or purporting to act on behalf of Texas-New Mexico Power Company for purposes of this proceeding.

The term “You,” “Your,” “Office of Public Utility Counsel” or “OPUC,” as used herein, refers to the Office of Public Utility Counsel and its affiliates, subsidiaries, and any person acting or purporting to act on its behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.

REQUESTS FOR INFORMATION

- 1-1. Please provide the following information for each witness that will provide testimony for OPUC in this case:
 - (a) the subject matter on which the witness will testify;
 - (b) the facts known by the witness that relate to or form the basis of the witness’s mental impression and opinions formed or made in connection with the testimony;
 - (c) the methods by which the mental impressions and opinions were formed;
 - (d) the witness’s current resume and bibliography, including, for the period since October 23, 2023 a complete listing of cases in which the witness has submitted testimony. Further, provide the docket number, jurisdiction, and the party for whom testimony was submitted, and the topics addressed in the testimony;
 - (e) copies of all articles, speeches, published materials, and peer-reviewed material written by the witness (or, for documents that are publicly available online, a link to access the online document may be provided instead of a copy);

- (f) the witness's billing rate and the number of hours spent by the witness on this case by week.
- 1-2. For each witness that will provide testimony for OPUC, please provide, for the period since October 23, 2023, a complete copy of all prior testimonies submitted or testified to at hearing by the witness relating to the topic(s) the witness will address in this docket. For testimony that is available from the Commission docket, please provide the docket number.
- 1-3. Referring to the Direct Testimony of Ronald Keen, did OPUC or Mr. Keen make any investigation or inquiry into TNMP's existing physical security practices, policies, or processes outside of those relevant to and discussed in TNMP's SRP? If so, please describe any such investigation or inquiry performed by Mr. Keen or OPUC and provide any supporting documents.
- 1-4. Referring to page 17, lines 13 through 18 of the Direct Testimony of Ronald Keen, please describe with specificity the security that Mr. Keen believes TNMP should implement at the "other components of the system, including the transmission lines, business functions, operations centers, and other nodes." Please provide a detailed overview of the costs associated with any such suggested measures organized by prioritization in order of importance.
- 1-5. Referring generally to the Direct Testimony of Ronald Keen regarding cybersecurity, did OPUC or Mr. Keen make any investigation or inquiry into TNMP's existing cyber security practices, policies, or processes outside of those relevant to and discussed in TNMP's SRP? If so, please describe any such investigation or inquiry performed by Mr. Keen or OPUC and provide any supporting documents.
- 1-6. Referring to page 30, lines 1 through 7 of the Direct Testimony of Ronald Keen, did OPUC or Mr. Keen make any investigation or inquiry into TNMP's use of Multi-Factor Authentication? If so, please describe any such investigation or inquiry performed by OPUC or Mr. Keen and provide any supporting documents. If not, please confirm that the basis for Mr. Keen's testimony is only the absence of such a discussion in TNMP's SRP.
- 1-7. Referring to Page 31, line 14 through Page 32, line 7 of the Direct Testimony of Ronald Keen, did OPUC or Mr. Keen make any investigation or inquiry into TNMP's use of Asset Management? If so, please describe any such investigation or inquiry performed by OPUC or Mr. Keen and provide any supporting documents. If not, please confirm that the basis for Mr. Keen's testimony is only the absence of such a discussion in TNMP's SRP.
- 1-8. Referring to the Direct Testimony of John E. Haselden, Page 13 lines 7 through 9, please describe the procedure with which TNMP must comply, including identification of all necessary documents and studies, that TNMP would be required to file in order to comply with Mr. Haselden and OPUC's recommendation that TNMP "be prepared to apply for grant funding through... GRIP."
- 1-9. Referring to the Direct Testimony of John E. Haselden, Page 13 lines 9 through 10, please identify each "similar grant opportunity" that Mr. Haselden and OPUC believe may become available to TNMP. For each, describe the procedure with which TNMP must

comply, including identification of all necessary documents and studies, that TNMP would be required to file in order to comply with the requirements of such grant opportunities.

1-10. Please confirm the following pursuant to 16 Tex. Admin. Code § 25.62:

- (a) the Commission may approve a utility's system resiliency plan that includes measures that are similar to the utility's existing programs or measures.
- (b) The Commission may approve a utility's system resiliency plan measure that provides both resiliency and reliability benefits;
- (c) A utility's measure can provide both resiliency and reliability benefits;
- (d) If the answer to any of the above is no, please explain the basis for your response, and provide all documents supporting your response.