



## **Filing Receipt**

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**SOAH DOCKET NO. 473-25-05084  
PUC DOCKET NO. 57149**

<b>APPLICATION OF EL PASO</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>ELECTRIC COMPANY FOR</b>	<b>§</b>	<b>OF</b>
<b>AUTHORITY TO RECONCILE FUEL</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>
<b>COSTS</b>	<b>§</b>	

**COMMISSION STAFF’S RECOMMENDATION ON THE SUFFICIENCY OF NOTICE**

On September 27, 2024, El Paso Electric Company (EPE) filed an application filed an application to reconcile eligible fuel expenses and revenues for the period April 1, 2022, through March 31, 2024.

On November 15, 2024, the State Office of Administrative Hearings (SOAH) administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) shall, and any other party may, provide comment or objection regarding the sufficiency of the proposed notice, Appendix D to EPE's application, in accordance with Rule 25.235(b)(1)(B) by November 21, 2024. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON NOTICE**

Under 16 Texas Administrative Code (TAC) § 25.235(b), the electric utility is required to give notice of a fuel proceeding at the time the petition is filed. 16 TAC § 25.235(b)(1)(B) provides that notice of fuel proceeding will be given by the electric utility as follows:

Notice in all reconciliation proceedings shall be by publication once each week for two consecutive weeks in a newspaper having general circulation in each county of the service area of the electric utility and by individual notice to each customer and to parties that participated in the electric utility’s prior fuel reconciliation proceeding.

Under 16 TAC § 25.235(b)(2)(A), all notices required by this section shall provide the following information:

- (i) the date the petition was filed;
- (ii) a general description of the customers, customer classes, and territories affected by the petition;
- (iii) the relief requested;
- (iv) the statement, “Persons with questions or who want more information on this petition may contact (utility name) at (utility address) or call (utility toll-free telephone number) during normal business hours. A complete copy of this petition is available for inspection at the address listed above”; and

- (v) the statement, “Persons who wish to formally participate in this proceeding, or who wish to express their comments concerning this petition should contact the Public Utility Commission of Texas, Office of Customer Protection, P.O. Box 13326, Austin, Texas 78711-3326, or call (512) 936-7120 or toll-free at (888) 782- 8477. Hearing and speech-impaired individuals with text telephones (TTY) may call (512) 936-7136 or use Relay Texas (toll-free) 1-800-735-2989.”

Under 16 TAC § 25.235(b)(2)(D), notices to reconcile fuel expenses must also state the period for which final reconciliation is sought.

In its application, EPE states that it will publish notice, in both English and Spanish, once each week for two consecutive weeks in a newspaper having general circulation in each county of EPE’s service area (El Paso, Culberson, and Hudspeth Counties). EPE will provide individual notice to each customer, in both English and Spanish, and to parties that participated in EPE’s last filed fuel reconciliation, Docket No. 54142. Therefore, Staff finds EPE’s proposed notice to be sufficient.

## **II. CONCLUSION**

Based on the foregoing, Staff respectfully recommends that EPE’s notice be deemed sufficient and that an order be issued consistent with this recommendation.

Dated: November 21, 2024

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on November 21, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Garrett Sharp  
Garrett Sharp