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Item Number - 59

**SOAH DOCKET NO. 473-25-14211
PUC DOCKET NO. 57501**

APPLICATION OF EL PASO	§	BEFORE THE STATE OFFICE
ELECTRIC COMPANY TO AMEND	§	
ITS CERTIFICATE OF CONVENIENCE	§	OF
AND NECESSITY FOR A 100 MW	§	
SOLAR/100 MW BATTERY STORAGE	§	ADMINISTRATIVE HEARINGS
FACILITY	§	

**OFFICE OF PUBLIC UTILITY COUNSEL’S
THIRD REQUEST FOR INFORMATION TO
EL PASO ELECTRIC COMPANY**

Pursuant to 16 Texas Administrative Code (“TAC”) § 22.144, the Office of Public Utility Counsel (“OPUC”) submits this Third Request for Information to El Paso Electric Company (“EPE”). OPUC requests that EPE provide answers to the request for information under oath as required by 16 TAC § 22.144(c)(2)(F) within the timeframe specified in the procedural schedule in this proceeding. OPUC further requests that EPE provide an answer to the questions and sub-questions in the order listed below with sufficient detailed information to provide a complete and accurate answer to each question and sub-question.

Definitions

1. “EPE,” the “Company,” “Applicant,” “You,” and “Your” refer to El Paso Electric Company and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
2. “Document” and “documents” include any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tape, film, electronic facsimile, computer storage device, or any other media, including, but not limited to, electronic mail (e-mail), memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, appointment calendars,

records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports, summaries of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form.

Instructions

1. The Definitions, Instructions, and Claim of Privilege sections set forth in this request for information apply to these questions.
2. In providing an answer to each question, please furnish all of the information that is in your possession, custody, or control, as defined by Texas Rules of Civil Procedure (Tex. R. Civ. Proc.) 192.7(b), including information in the possession, custody, or control of your affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
3. Please answer each question based upon your knowledge, information, or belief, and state whether each answer is based upon your knowledge, information, or belief.
4. If you have possession, custody, or control, as defined by Tex. R. Civ. Proc. 192.7(b), of an original requested document, please produce the original requested document or a complete copy of the original requested document and all copies that are different in any way from the original requested document, whether by interlineation, receipt stamp, or notation.
5. If you do not have possession, custody, or control of an original requested document, please produce copies of the document, however made, in your possession, custody, or control. If any requested document is not in your possession, custody, or control, please explain why the document is not in your possession, custody, or control and provide the current location and custodian of the requested document or any copy, summary, or other form of the requested document thereof.
6. If there is any confusion about a question, please contact the undersigned counsel for clarification.
7. In providing your response to a question, please start each response on a separate page and type, at the top of the page, the question that is being answered by the response.

8. As part of the response to each question, please state, at the bottom of the answer to the question, the name and job position of each person(s) who participated in any way, other than by providing clerical assistance, in the preparation of the answer to the question. If the question has sub-parts, please identify each person(s) by name and job position that participated in any way, other than by providing clerical assistance, in the preparation of the answer for each sub-part of the question.
9. Please state the name of the witness in this docket who will sponsor the answer to the question and/or sub-part of the question and who will swear to the truthfulness of the answer to the question and/or sub-part of the question.
10. Please provide individual responses to questions as each response becomes available, rather than waiting to provide all of the responses to the questions at the same time.
11. These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer to a question between the time of your original response and the time of the hearing, then you should submit, under oath, a supplemental response to your earlier answer to the question.
12. If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please contact the undersigned counsel, as soon as possible, to discuss the situation and try to resolve the issue. Furthermore, if you object to any question on the grounds that the question seeks confidential information, or on any other grounds, please contact the undersigned counsel, as soon as possible, to discuss the situation and try to resolve the issue.
13. If the response to any question is voluminous, please make available all of the voluminous material at a designated location in Austin. Please provide a detailed index for the voluminous material with your response to the question to enable efficient review of the material. The index should include information sufficient to locate each individual document by page, file, and box number, date of each document, title of each document, description of each document if no document title exists, name of the preparer of each document, and length of each document.
14. If the requested information is included in previously furnished exhibits, workpapers, or responses to other discovery inquiries or otherwise, in hard copy or electronic format,

please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references to the previously furnished information.

15. If a question requests the production of copyrighted material, you may provide a list of such material, including the title, publisher, author, edition, and page references relied on or otherwise relevant to the question.

Claim of Privilege

If any document is withheld under any claim of privilege, please provide a list that identifies each document for which a privilege is being claimed, including the date, sender, recipient(s) of the privileged document, recipient(s) of copies of the privileged document, subject matter of the privileged document, and the basis upon which a privilege is being claimed by the Company.

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- 3-1.** Please refer to the Direct Testimony of George Novela ("Novela Direct") at 14:20 – 15:5. Please provide a detailed explanation of how battery storage has no associated fuel cost components and can operate as a beneficial hedge when natural gas costs are high. In your response, please address the fact that battery storage requires energy to be produced by generation facilities or supplied from purchased power agreements ("PPA").
- 3-2.** Please refer to Novela Direct at 14:20 – 15:5. Please describe in detail the expected sources of energy supplied to charge the 100 megawatt ("MW") battery energy storage system ("BESS") and whether that energy is expected be supplied at no cost for fuel or energy, if the source of the energy is expected to be pursuant to PPAs.
- 3-3.** Please refer to the Direct Testimony of Emmanuel Villalobos ("Villalobos Direct") at 20:25 – 21:24. Please provide forecasted net megawatt-hour ("MWh") delivered to EPE's transmission system per hour from the proposed Newman Buffer 100 MW solar generation facility under the base or expected case for each year of 2027, 2028, and 2029 in Excel format with formulas present. If unable to provide projected hourly firm loads for all hours of any year, please provide generation profile data containing expected hourly MWh delivered to EPE's system by the hour for a typical day for each month.
- 3-4.** Please refer to Villalobos Direct at 20:25-21:24. Please provide forecasted net MWh delivered to EPE's transmission system per hour from the proposed Newman Buffer 100 MW BESS facility under the base or expected case for each year of 2027, 2028, and 2029 in Excel format with formulas present. If unable to provide projected hourly firm loads for all hours of any year, please provide generation profile data containing expected hourly MWh delivered to EPE's system by the hour for a typical day for each month.
- 3-5.** Please refer to the Direct Testimony of Edmundo Salazar ("Salazar Direct") at 10:16-22. Was the expected round-trip efficiency percentage for the Newman Buffer BESS facility calculated assuming specific operating characteristics, including any expected charge and discharge minimums, schedules, levels of charge and discharge, or hours between charge and discharge? If so, please provide all operating characteristics that were assumed in the calculation of the round-trip efficiency percentage.
- 3-6.** Please refer to Salazar Direct at 10:16-22. Please provide a detailed explanation of how and to what extent the expected round-trip efficiency percentage for the Newman Buffer BESS facility would vary based upon changes in the operating characteristics for the BESS facility.

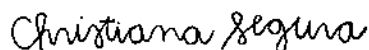
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- 3-7.** Please provide any maximum limitations or minimum requirements relative to the number of charges or discharges for the Newman Buffer BESS facility per week, month, or year.
- 3-8.** Please refer to Novela Direct at 6:10-7:4. Has EPE received any notifications from any of the four (4) PPAs and the energy storage agreements identified concerning any potential or known price change requests? If so, please provide a detailed description of each such notification.

Date: May 6, 2025

Respectfully submitted,

Benjamin Barkley
Chief Executive and Public Counsel
State Bar No. 24092083



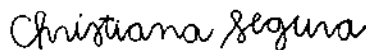
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**ATTORNEYS FOR THE
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CERTIFICATE OF SERVICE

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I hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 6th day of May 2025 by facsimile, electronic mail, and/or first class, U.S. Mail.



Christiana Segura