

Control Number: 57568



Item Number: 70

PUC DOCKET NO. 57568
SOAH DOCKET NO. 473-25-11219

APPLICATION OF EL PASO	§	PUBLIC UTILITY COMMISSION
ELECTRIC COMPANY FOR	§	
AUTHORITY TO CHANGE RATES	§	OF TEXAS

PRELIMINARY ORDER

El Paso Electric Company filed an application to change its base rates and obtain other approvals. This preliminary order identifies the issues that must be addressed.

I. Overview

El Paso Electric filed a statement of intent under Public Utility Regulatory Act (PURA)¹ § 36.102 to change its rates. El Paso Electric seeks an overall increase in annual retail base-rate and miscellaneous revenues of \$129 million that would affect all Texas retail customers.² In addition to its base rates, El Paso Electric has already been collecting \$43.53 million in combined distribution cost recovery factor (DCRF) and generation cost recovery rider (GCRR) revenues, which will cease when the DCRF and GCRR are reset to zero in this proceeding. Thus, the net proposed increase of \$83.47 million from this proceeding would be 13.55% over El Paso Electric's adjusted test-year base rate revenues. The test year for this application is October 1, 2023, through September 30, 2024.

The requested overall rate of return on rate base of 8.36% reflects an equity capitalization of 56.4% and a return on equity of 10.7%. El Paso Electric asserts that its total company rate base is \$3.6 billion, reflecting new investment in utility plant in service of \$1.5 billion from January 1, 2021 through September 30, 2024, the end of the test year in this rate case. El Paso Electric states that its increase in net plant is approximately \$993.9 million, after reflecting increases in accumulated depreciation and other plant adjustments. This includes investment in the Palo Verde Generating Station and investment in the new gas-fired generation unit Newman

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

² Petition and Statement of Intent to Change Rates (Jan. 27, 2025).

Unit 6. El Paso Electric is requesting to change the jurisdictional allocation of Newman Unit 6 and seeks to recover 100% of its capital investment in that unit from Texas customers.³

El Paso Electric is also requesting to update its advanced metering surcharge and the retiring plant rider factor for a combined increase of \$7.3 million. For the advanced metering surcharge, El Paso Electric proposes to reduce the estimated savings for operations and maintenance expense in the surcharge calculation. For the retiring plant factor, El Paso Electric requests to update costs for the generating units Newman Units 1 & 2 and Rio Grande Unit 7 and to add operations and maintenance costs for Rio Grande Unit 6.

El Paso Electric does not seek to reconcile fuel and purchased power costs in this case. El Paso Electric stated that its rate filing package does not include schedule S because of the Commission's order in Docket No. 56851.⁴ El Paso Electric is proposing a new depreciation study that changes its depreciation rates.

Finally, El Paso Electric is seeking to recover rate-case expenses incurred in a number of proceedings⁵ through a rate-case expense surcharge over a period of two years.

II. Additional Proposals

El Paso Electric proposes several revisions to its tariff. El Paso Electric proposes redefining the on-peak period of a day to a five-hour period from 2:00 p.m. through 7:00 p.m. El Paso Electric proposes that the bill protection provision in several rate schedules be changed to describe a limitation on the number of customers that can receive bill protection. El Paso Electric is also proposing to replace its current fixed fuel factor, which is based on a formula, with a fuel adjustment factor that adjusts monthly.

For residential customers, El Paso Electric proposes to reduce the number of months included in the summer season from six months to the four months of June, July, August, and September. El Paso Electric is also proposing to increase the pricing differential between the first

³ Direct Testimony of George Novela at 25–26.

⁴ *Application of El Paso Electric Company for Waiver of Certain Rate Filing Package Schedules in Its Next Rate Application*, Docket No. 56851, Order (Dec. 12, 2024).

⁵ See Schedule G-14.

and second blocks in the summer energy charges and between the on-peak and off-peak period energy charges.⁶

El Paso Electric proposes multiple changes to deal with its increasing number of service requests for large loads. For any rate schedules that include a primary voltage rate, El Paso Electric proposes to implement a reserved distribution capacity service charge for customers that request an additional service primary voltage feed and related distribution facilities as backup.⁷ El Paso Electric also proposes a change to its line extension policy and rule 20 of El Paso Electric's rules and regulations of its tariff to address increasing customer loads and new large load service requests.

To address the specific issue of high load factor customers, El Paso Electric proposes a new distributed generation rate for non-grandfathered distributed generation customers. Under the new rate, EL Paso Electric proposes to eliminate minimum bill amounts and include demand charges.⁸

El Paso Electric proposes one new rate offering of a peak time rebate pilot program for residential customers. Under this program, customers would receive a bill credit for reducing energy consumption during a designated peak period, following a notification from El Paso Electric.⁹ El Paso Electric is also seeking approval of its Green Energy Plus tariff, which would allow existing customers to enter into agreements to obtain provision of service from renewable facilities for some or all their needs.

III. Procedural Background

El Paso Electric filed the application in this proceeding on January 27, 2025, and the docket was referred to the State Office of Administrative Hearings (SOAH) on January 28, 2025. The

⁶ Petition at 13.

⁷ Petition at 12; Direct Testimony of Leshe A. Chagnon at 22.

⁸ Direct Testimony of Manuel Carrasco at 27.

⁹ Direct Testimony of Manuel Carrasco at 68.

SOAH administrative law judge (ALJ) suspended the effective date of El Paso Electric's proposed rates until July 31, 2025.¹⁰

On February 12, 2025, the SOAH ALJ convened a prehearing conference.¹¹ At the prehearing conference, the ALJ granted motions to intervene filed by the following: the City of El Paso, the Office of Public Utility Counsel, the University of Texas at El Paso, Texas Industrial Energy Consumers, Freeport-McMoRan, Inc., and the Department of Defense and all other Federal Executive Agencies.¹² On February 28, 2025, the ALJ found El Paso Electric's application and proposed notice sufficient.¹³

El Paso Electric was directed, and Commission Staff and other interested persons were allowed, by February 21, 2025, to file a list of issues to be addressed in the docket and also identify any issues not to be addressed and any threshold legal or policy issues that should be addressed. Commission Staff, the City of El Paso, the University of Texas at El Paso, and El Paso Electric each timely filed a list of issues.

IV. Issues to be Addressed

The Commission must provide to the ALJ a list of issues or areas to be addressed in any proceeding referred to SOAH.¹⁴ After reviewing the pleadings submitted by the parties, the Commission identifies the following issues that must be addressed in this docket:

1. Did El Paso Electric comply with the form and instructions for the Commission's rate-filing package?
2. Is El Paso Electric's application administratively complete?
3. Did El Paso Electric provide notice that was adequate and consistent with the requirements of PURA §§ 36.102 and 36.103?

¹⁰ SOAH Order No. 1 at 3 (Jan. 29, 2025).

¹¹ SOAH Order No. 2 at 1 (Feb. 18, 2025).

¹² SOAH Order No. 2 at 2.

¹³ SOAH Order No. 3 at 1 (Feb. 18, 2025).

¹⁴ Tex. Gov't Code § 2003.049(e).

4. What revenue requirement will give El Paso Electric a reasonable opportunity to earn a reasonable return on its invested capital used and useful in providing service to the public in excess of its reasonable and necessary operating expenses?
5. What is El Paso Electric's reasonable and necessary cost of providing service calculated in accordance with PURA and Commission rules?
6. What adjustments, if any, should be made to El Paso Electric's proposed test-year data?

Invested Capital – Rate Base and Return

7. What is the appropriate debt-to-equity capital structure for El Paso Electric?
8. What is the appropriate overall rate of return, return on equity, and cost of debt for El Paso Electric? When answering this issue, please address how the factors specified in PURA § 36.052 and 16 TAC § 25.231(c)(1) should affect El Paso Electric's rate of return.
9. Are any protections, including financial protections, appropriate to protect El Paso Electric's financial integrity and ability to provide reliable service at just and reasonable rates?
10. What are the reasonable and necessary components of El Paso Electric's rate base?
11. What is the original cost of El Paso Electric's property used and useful in providing service to the public at the time the property was dedicated to public use?
12. What is the amount, if any, of accumulated depreciation on that property?
13. Does El Paso Electric's requested invested capital or revenue requirement include any amounts no longer used and useful in the provision of electric service?
14. What is El Paso Electric's transmission cost of service determined in accordance with PURA and Commission rules?
15. What amount, if any, of El Paso Electric's invested capital has not previously been subject to a prudence review by the Commission?
 - a. If there are any such amounts, what are the amounts, for what facilities, property, or equipment were the investments made, and were the amounts prudently incurred?

- b. What amount, if any, of allowance for funds used during construction (AFUDC) is being transferred to invested capital in this proceeding? If AFUDC is being transferred, for what facilities and at what rate was the AFUDC accrued?
16. Did any of El Paso Electric's invested capital arise from payment made to an affiliate? If so, for each item or class of items, does the payment conform to the requirements in PURA § 36.058?
17. Is El Paso Electric seeking the inclusion of construction work in progress? If so,
- a. What is the amount sought and for what facilities; and
 - b. Has El Paso Electric proven that the inclusion is necessary to the financial integrity of the electric utility, and that major projects under construction have been efficiently and prudently planned and managed; or
 - c. For transmission investment required by the Commission under PURA § 39.203(e), do conditions warrant the inclusion of construction work in progress for such transmission investment?
18. What is the reasonable and necessary cash working capital allowance for El Paso Electric, calculated in accordance with Commission rules?
- a. Does El Paso Electric's lead-lag study for its proposed allowance for cash working capital comply with Commission rules?
 - b. If not, should cash working capital be set at negative one-eighth of operations and maintenance expenses?
19. What is the reasonable and necessary amount, if any, of El Paso Electric's accumulated reserve for deferred federal income taxes, excess deferred federal income taxes, unamortized investment tax credits, contingency reserves, property insurance reserves, contributions in aid of construction, customer deposits, and other sources of cost-free capital? What other items, if any, should be deducted from El Paso Electric's rate base?
20. What regulatory assets are appropriately included in El Paso Electric's rate base? If included, what is the appropriate treatment of such regulatory assets?

21. What regulatory liabilities, if any, are appropriately included in El Paso Electric's rate base?
If included, what is the appropriate treatment of such regulatory liabilities?
22. What post-test-year adjustments for known and measurable rate-base changes to historical test-year data, if any, should be made? Do any such adjustments comply with the requirements of 16 TAC § 25.231(c)(2)(F)?
- a. Does each addition equal at least 10% of El Paso Electric's requested rate base, exclusive of post-test-year adjustments and construction work in progress?
 - b. Will each plant addition be in service before the rate year begins?
 - c. Have all the attendant impacts on all aspects of El Paso Electric's operations (including but not limited to revenue, expenses, and invested capital) been identified, quantified, and matched?
 - d. For any post-test-year adjustments, what future filings, if any, should El Paso Electric be required to make to verify that the plant was placed in service before the rate year begins?

Expenses

23. What are El Paso Electric's reasonable and necessary operations and maintenance expenses?
24. What are El Paso Electric's reasonable and necessary administrative and general expenses?
25. What is El Paso Electric's reasonable and necessary depreciation expense? For each class of property, what are the proper and adequate rates and methods for depreciation, including service lives and salvage value?
26. What is the reasonable and necessary amount for assessments and taxes, other than federal income taxes, for El Paso Electric?
27. What is the reasonable and necessary amount for municipal franchise fees?
28. What is the reasonable and necessary amount of El Paso Electric's federal income tax expense?

29. Is El Paso Electric's proposed treatment of federal income taxes consistent with PURA, the Commission's substantive rules, and the Commission's amended order in Docket No. 47945?¹⁵
30. Will El Paso Electric realize any tax savings derived from liberalized depreciation and amortization, investment tax credits, or similar methods? If so, are they apportioned equitably between consumers and El Paso Electric, and are the interests of present and future customers equitably balanced as required by PURA § 36.059?
31. What is the reasonable and necessary amount for El Paso Electric's advertising expense, contributions, and donations?
32. Does El Paso Electric currently have a self-insurance plan approved by the Commission? If so, please address the following issues.
- a. What is the approved target amount for the reserve account? Is it appropriate to change that amount?
 - b. What is the amount, if any, of any shortage or surplus for the reserve account, and what actions, if any, should be taken to return the reserve account to the approved target amount?
33. Is El Paso Electric seeking approval of a self-insurance plan? If so, please address the following issues.
- a. Is the coverage provided by the plan in the public interest?
 - b. What property and liability losses will El Paso Electric charge to the reserve account? Are there losses that cannot be reasonably anticipated and included in operating and maintenance expenses?
 - c. What is the reasonable and necessary target amount for El Paso Electric's self-insurance reserve account?

¹⁵ *Proceeding to Investigate and Address the Effects of Tax Cuts and Jobs Act of 2017 on the Rates of Texas Investor-Owned Utility Companies*, Project No. 47945, Amended Order Related to Changes in Federal Income Tax Rates (Feb. 15, 2018).

- d. What is the reasonable and necessary amount of annual accruals to properly fund the self-insurance reserve account?
 - e. If El Paso Electric's annual accruals for the reserve account meet or exceed the target amount, how will El Paso Electric treat the excess balance of the reserve account?
 - f. How will El Paso Electric allocate the cost of the annual accruals to its Texas retail rate classes?
 - g. Has El Paso Electric filed a cost-benefit analysis performed by a qualified independent insurance consultant? If so, please address the following issues.
 - i. Does the cost-benefit analysis present a detailed analysis of the appropriate limits of self-insurance, an analysis of the appropriate annual accruals to build a reserve account for self-insurance, and the level at which further accruals should be decreased or terminated?
 - ii. Does the cost-benefit analysis demonstrate that, in consideration of all costs, self-insurance is a lower-cost alternative than commercial insurance?
 - iii. Does the cost-benefit analysis demonstrate that El Paso Electric's ratepayers will receive the benefits of the self-insurance plan?
34. What are El Paso Electric's reasonable and necessary expenses for pension and other post-retirement benefits, if any, calculated in accordance with PURA § 36.065 and 16 TAC § 25.231(b)(1)(H)?
- a. What is the reasonable baseline level of pension and other post-employment benefits for purposes of the expense tracker under PURA § 36.065?
 - b. Has El Paso Electric established under PURA § 36.065(b) any reserve accounts for pension and other post-employment benefits?
 - c. If so, has El Paso Electric recorded the proper amounts in each reserve account?
 - d. Are the amounts recorded in each reserve account reasonable expenses in accordance with PURA § 36.065(d)(1)?

- e. Does any reserve account have a surplus or shortage under PURA § 36.065(c)? If so, how should El Paso Electric's rate base be modified to amortize, over a reasonable time, any surplus or shortage in each affected reserve account? PURA § 36.065(d)(3).
35. Are El Paso Electric's proposed employee compensation and benefits expenses consistent with market compensation studies issued not earlier than three years before the initiation of this proceeding in accordance with PURA § 36.067(b)?
36. Has El Paso Electric made any payments for expenses to affiliates? If so, for each item or class of items,
- a. Are costs appropriately assigned to El Paso Electric and its affiliates?
 - b. Has El Paso Electric met the standard of recovery of affiliate costs under PURA § 36.058 and Commission rules?
 - c. If not, what is the reasonable level of the expenses that should be included in determining El Paso Electric's cost of service?
37. Does El Paso Electric have any competitive affiliates, as defined by 16 TAC § 25.272(c)(2)?
- a. If so, has El Paso Electric conducted any transactions with its competitive affiliates?
 - b. If so, what are these transactions, have all transactions with any competitive affiliates been conducted at arm's length, and has El Paso Electric met all of the requirements of 16 TAC § 25.272 regarding such transactions?
 - i. If not, what amount of expenses should be disallowed?
38. Are any of El Paso Electric's expenditures unreasonable, unnecessary, or not in the public interest, including, but not limited to, executive salaries, advertising expenses, legal expenses, penalties and interest on overdue taxes, criminal penalties or fines, and civil penalties or fines?
39. What post-test-year adjustments for known and measurable changes to historical test-year data for expenses, if any, should be made? For any such adjustments, have all the attendant impacts on all aspects of El Paso Electric's operations (including, but not limited to, revenue, expenses, and invested capital) been identified with reasonable certainty, quantified, and matched?

40. What are the appropriate amounts, if any, for transmission expenses and revenues under Federal Energy Regulatory Commission (FERC)-approved tariffs to be recovered?

Deferred Costs

41. Is El Paso Electric seeking to include in rates any costs previously deferred by an order of the Commission? If so, in what docket did the Commission approve deferral of the costs? Is inclusion of such deferred costs in rates necessary to carry out a provision of PURA? What is the appropriate standard by which to make this determination, and is the proposed assignment and allocation of that recovery appropriate?
42. Is El Paso Electric seeking to defer any costs, including any rate-case expenses, in this proceeding for recovery in a future proceeding? If so, what is the amount of such costs, and why were those costs incurred (or why will they be incurred)? Is deferral of those costs necessary to carry out a provision of PURA? If not, why is it necessary to defer these costs? What are the appropriate standards by which to make these determinations?

Rate Design and Tariffs

43. What are the just and reasonable rates calculated in accordance with PURA and Commission rules? Do the rates comport with the requirements in PURA § 36.003?
44. What are the appropriate rate classes for which rates should be determined? Is El Paso Electric proposing any new rate classes? If so, why are these new rate classes needed?
45. What are the appropriate billing and usage date for El Paso Electric's test year?
- a. What known and measurable changes, if any, should be used to adjust the test-year data in accordance with 16 TAC § 25.234(b)?
 - b. What changes, if any, are necessary to reflect abnormal weather conditions or other aberrant conditions?
46. What are appropriate allocations of El Paso Electric's revenue requirement to jurisdictions, functions, and rate classes?
- a. What is the appropriate allocation of El Paso Electric's expenses, invested capital, and revenue to Texas retail customers?

- b. Does El Paso Electric have any customer-specific contracts for the provision of transmission or distribution service? If so, identify each customer, and state whether the contract has been presented to the Commission for approval, and if so, in what docket. In addition, has El Paso Electric appropriately allocated revenues and related costs associated with such contracts? Do all allocation factors properly reflect the types of costs allocated?
 - c. What are the appropriate allocations of El Paso Electric's transmission investment, expenses, and revenues, including transmission expenses and revenues under FERC-approved tariffs, among jurisdictions?
 - d. Does El Paso Electric have any FERC-approved tariffs? If so, identify each tariff and the FERC docket in which the tariff was approved. What are the appropriate allocations of El Paso Electric's transmission investment, expenses, and revenues, including transmission expenses and revenues under those tariffs? Has El Paso Electric made appropriate allocations for imports to and exports from the Electric Reliability Council of Texas (ERCOT) region?
47. Is El Paso Electric's proposed change to the jurisdictional allocation of Newman Unit 6 appropriate?
48. What is the appropriate amount of El Paso Electric municipal franchise fees to include in base rates? Is it appropriate to recover a portion of the municipal franchise fees through direct charges to customers in the applicable municipal jurisdictions?
49. Does El Paso Electric provide wholesale transmission service at distribution voltage to any customers? If so, has El Paso Electric properly allocated costs to and designed rates for those customers as required under PURA § 35.004(c)?
50. Are all rate classes at unity? If not, what is the magnitude of the deviation, and what, if anything should be done to address the lack of unity?
51. Has El Paso Electric proposed any rate riders? If so, should any of the proposed riders be adopted? If so, what are the appropriate costs to be recovered through the riders, and what are the appropriate terms and conditions of the riders?

52. Does El Paso Electric have any existing rate riders that should be modified or terminated?

What regulatory assets or other items are currently being recovered through rate riders?

53. What tariff revisions, if any, are appropriate as a result of this proceeding?

54. Are El Paso Electric's proposed changes to its rules and rate tariffs reasonable?

Baselines for Cost-Recovery Factors

55. Should baseline amounts be determined in this proceeding for future TCRF, DCRF, generation recovery factor, or interim transmission cost of service filings? If so, what are the investment and expense components and amounts?

Rate-Case Expenses

56. What are El Paso Electric's reasonable and necessary rate-case expenses in accordance with PURA § 36.061(b)(2) and 16 TAC § 25.245? In answering this question, please address the following:

- a. Does this amount include any anticipated expenses to appeal this proceeding? Is it appropriate to recover expenses associated with appeals of prior Commission orders before the appeals are completed?
- b. Is El Paso Electric seeking to recover rate-case expenses incurred in other proceedings? If so, what are the utility's rate-case reasonable and necessary rate-case expenses incurred in other proceedings?

57. What are the intervening cities' reasonable rate-case expenses, in accordance with PURA § 33.023(b) and 16 TAC § 25.245? Does this amount include any anticipated expenses to appeal this proceeding or a prior rate-case proceeding?

58. If attorney fees are included in requested rate-case expenses, are they supported by the testimony or affidavit of a licensed attorney qualified to render admissible opinions on the reasonableness of attorney fees?

59. How should reasonable and necessary rate-case expenses, if any, be recovered by the utility?

Additional Issues

60. Should the Commission approve El Paso Electric's proposed updates to its advanced metering surcharge?
61. Should the Commission approve El Paso Electric's proposed updates to its retiring plant rider factor?
62. How does El Paso Electric propose to redefine its on-peak period? Are the changes reasonable?
63. How does El Paso Electric propose to shorten its summer season for residential customers? Are the changes reasonable?
64. Is El Paso Electric's proposal to replace its current fixed fuel factor, which is based on a formula, with a fuel adjustment factor that adjusts monthly reasonable and in compliance with the requirements of 16 TAC § 25.237?
65. Does El Paso Electric's request to relate the final rates in this proceeding back to usage on and after the date temporary rates are effective comply with PURA §§ 36.109 and 36.211?
66. Has El Paso Electric requested in this docket any exceptions to any requirements in any Commission rules? If so, what are those rule requirements, and has El Paso Electric demonstrated good cause for the exception? Should the Commission grant the exception?
67. Has El Paso Electric requested in this docket waivers of requirements in the Commission's rate filing package? If so, are such requests appropriate, and should they be approved?

68. Has El Paso Electric complied with all requirements of the Commission's final orders in Docket Nos. 37690,¹⁶ 44800,¹⁷ 49849¹⁸, 52040,¹⁹ 52195,²⁰ 54403,²¹ 54142,²² 54614,²³ 54659,²⁴ 55176,²⁵ and 56851?²⁶

This list of issues is not intended to be exhaustive. The parties and the ALJ are free to raise and address any issues relevant in this docket that they deem necessary, subject to any limitations imposed by the ALJ or by the Commission in future orders issued in this docket. The Commission may identify and provide to the ALJ in the future any additional issues or areas that must be addressed, as permitted under Texas Government Code § 2003.049(e).

V. Effect of Preliminary Order

This Order is preliminary in nature and is entered without prejudice to any party expressing views contrary to this Order before the SOAH ALJ at hearing. The SOAH ALJ, upon his or her own motion or upon the motion of any party, may deviate from this Order when circumstances dictate that it is reasonable to do so. Any ruling by the SOAH ALJ that deviates from this Order

¹⁶ *Application of El Paso Electric Company to Change Rates, to Reconcile Fuel Costs, to Establish Formula-Based Fuel Factors, and to Establish an Energy Efficiency Cost Recovery Factor*, Docket No. 37690, Order (July 30, 2010).

¹⁷ *Application of El Paso Electric Company to Implement a Voluntary Community Solar Pilot Program in Texas*, Docket No. 44800, Order (Sept. 1, 2016).

¹⁸ *Joint Report and Application of El Paso Electric Company, Sun Jupiter Holdings LLC, and IIF US Holding LP for Regulatory Approvals under PURA §§ 14.101, 39.262, and 39.915*, Docket No. 49849, Order (Jan. 28, 2020).

¹⁹ *Application of El Paso Electric Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees*, Docket No. 52040, Order (Dec. 15, 2022).

²⁰ *Application of El Paso Electric Company to Change Rates*, Docket No. 52195, Order (Sept. 15, 2022).

²¹ *Application of El Paso Electric Company for a 10 MW Expansion and Authority to Modify Schedule No. CS Community Solar Rate*, Docket No. 54403, Order (Sept. 14, 2023).

²² *Application of El Paso Electric Company for Authority to Reconcile Fuel Costs*, Docket No. 54142, Order (Apr. 11, 2024).

²³ *Statement of Intent and Application of El Paso Electric Company for Approval of Texas Electric Vehicle-Ready Pilot Programs and Tariffs*, Docket No. 54614, Order (Oct. 24, 2024).

²⁴ *Application of El Paso Electric Company for Approval of a Generation Cost Recovery Rider Related to Newman Unit 6*, Docket No. 54659, Order (Dec. 12, 2023).

²⁵ *Application of El Paso Electric Company to Implement a Voluntary Business Solar Program in Texas*, Docket No. 55176, Order (Jan. 16, 2025).

²⁶ *Application of El Paso Electric Company for Waiver of Certain Rate Filing Package Schedules in Its Next Rate Application*, Docket No. 56851, Order (Dec. 12, 2024).

may be appealed to the Commission. The Commission will not address whether this Order should be modified except upon its own motion or the appeal of a SOAH ALJ's order. Furthermore, this Order is not subject to motions for rehearing or reconsideration.

Signed at Austin, Texas the 13th day of March 2025.

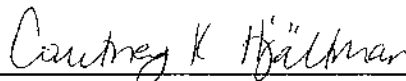
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