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DOCKET NO. 57760

APPLICATION OF EL PASO	§	PUBLIC UTILITY COMMISSION
ELECTRIC COMPANY FOR	§	
APPROVAL OF ACCOUNTING	§	OF TEXAS
TREATMENT FOR TEMPORARY	§	
REASSIGNMENT OF	§	
JURISDICTIONAL ENERGY	§	

COMMISSION STAFF'S LIST OF ISSUES

On February 26, 2025, El Paso Electric Company (EPE) filed an application for approval to temporarily reassign the 35,000 MWHs of the calendar year 2025 production from the Macho Springs Purchased Power Agreement (PPA), which is currently allocated to EPE's Texas jurisdiction, to facilitate EPE's compliance with New Mexico's Renewable Portfolio Standard in accordance with the state's Renewable Energy Act. The New Mexico Public Regulatory Commission has already authorized this treatment.

On May 7, 2025, the Commission Counsel for the Public Utility Commission of Texas (Commission) filed an order requesting lists of issues, filed an order of referral that requires EPE to file a list of issues and permits the Staff (Staff) of the Public Utility Commission of Texas (Commission), along with any other interested party, to file a list of issues to be addressed in this docket by May 27, 2025. Therefore, this pleading is timely filed.

I. ISSUES TO BE ADDRESSED

Staff has identified the following issues to be addressed in this docket:

1. Does EPE's proposed reassignment comply with applicable statutes and Commission rules?
2. Did EPE provide proper notice of the proposed Macho Springs reassignment as required by 16 Texas Administrative Code § 22.55?
3. What is the current allocation between Texas and New Mexico customers in regards to the Macho Springs PPA?
4. Would EPE's Texas retail customers benefit from the proposed reassignment of energy to the New Mexico jurisdiction?
5. Should any adjustments be made to account for capacity-related costs currently included in base rates? If so, what adjustments are appropriate?

6. What commitments are proposed by EPE to adequately ensure that no additional costs for Texas customers result from the temporary reassignment of Macho Springs capacity and energy to New Mexico customers?
7. If the application is to be approved, what other adjustments or changes, if any, are required to fairly and equitably treat Texas customers?

II. ISSUES NOT TO BE ADDRESSED

At this time, Staff has not identified any issues not to be addressed.

III. CONCLUSION

Staff respectfully requests that the issues identified above be included in any Preliminary Order in this proceeding.

Dated: May 27, 2025

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 May 27, 2025 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Dylan King
Dylan King