



## **Filing Receipt**

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**Control Number - 57760**

**Item Number - 4**

**DOCKET NO. 57760**

|                                |          |                                  |
|--------------------------------|----------|----------------------------------|
| <b>APPLICATION OF EL PASO</b>  | <b>§</b> | <b>PUBLIC UTILITY COMMISSION</b> |
| <b>ELECTRIC COMPANY FOR</b>    | <b>§</b> |                                  |
| <b>APPROVAL OF ACCOUNTING</b>  | <b>§</b> | <b>OF TEXAS</b>                  |
| <b>TREATMENT FOR TEMPORARY</b> | <b>§</b> |                                  |
| <b>REASSIGNMENT OF</b>         | <b>§</b> |                                  |
| <b>JURISDICTIONAL ENERGY</b>   | <b>§</b> |                                  |

**COMMISSION STAFF’S COMMENTS AND RECOMMENDATION AND PROPOSED PROCEDURAL SCHEDULE**

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 February 28, 2025, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments and a recommendation regarding EPE’s application and proposed notice and propose a procedural schedule for processing by March 12, 2025. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON SUFFICIENCY**

Staff has reviewed EPE’s application and recommends that it be found sufficient. Staff expresses no opinion regarding the merits of the application at this time.

**II. COMMENTS ON NOTICE**

Staff recommends that EPE provide notice as proposed in its application under 16 TAC § 22.55 by serving all parties in EPE’s last base rate proceeding, which would include all of the parties to the pending fuel reconciliation, with a copy of the application.

**III. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes to adopt the schedule outlined by EPE in its application with the caveat that the deadline to object be extended until March 31, 2025:

| <b>Event</b> | <b>Date</b> |
|--------------|-------------|
|--------------|-------------|

|   |                             |
|---|-----------------------------|
| Deadline to Intervene   | March 21, 2025 <sup>1</sup> |
| Deadline for Staff or Intervenors to Object to Interim Relief           | March 31, 2025              |
| Deadline for Intervenors to Request a Hearing                           | March 31, 2025              |
| Effective Date of Interim Relief if No Objection Filed                  | April 1, 2025               |
| Deadline for Staff to Request a Hearing                                 | April 2, 2025               |
| Deadline for Filing an Agreed Proposed Order if No Hearing is Requested | April 9, 2025               |

#### IV. CONCLUSION

For the reasons discussed above, Staff respectfully requests that an order be issued consistent with the foregoing.

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<sup>1</sup> Motions to intervene must be filed within 45 days of the date the application is filed with the Commission. See 16 TAC § 22.104(b). Forty-five days from the date which the application was filed is April 12, 2025. Under 16 TAC § 22.4, if the time for filing falls on a day on which the Commission is not open for business, the time for filing is extended to the next business day.

Dated: March 12, 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 March 12, 2025, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Dylan King  
Dylan King