

A. While the Commission's rule does state that a utility demand goal cannot be lower than its prior year's goal, it also provides for an adjustment. 16 TAC § 25.181(e)(1)(D) states that, "Except as adjusted in accordance with subsection (u) of this section, a utility's demand reduction goal in any year shall not be lower than its goal for the prior year, unless the commission establishes a goal for a utility pursuant to paragraph (2) of this subsection." Subsection (u) states that the utility's demand reduction goal shall be adjusted to remove any load that is lost as a result of this subsection.

Calendar Year	Peak Demand (MW) @ Source					Peak Demand (MW)	Peak Demand (MW) For Goal		
						@ Source	@ Meter		
	Total System		Residential & Commercial			Residential & Commercial	Residential & Commercial		
	Actual	Weather Adjusted	Actual	Weather Adjusted	Opt-Out	Unadjusted Load	Loss Factor %	Adjusted Load	0.4% Peak Demand
2020	2,038	2,006	1,453	1,421	-52	1,369	5.28%	1,300	
2021	2,009	2,074	1,464	1,528	-33	1,495	5.30%	1,420	
2022	2,228	2,151	1,647	1,570	-51	1,519	5.96%	1,434	
2023	2,304	2,198	1,703	1,597	-59	1,538	5.56%	1,457	
2024	2,681	2,665	1,914	1,899	-81	1,817	5.29%	1,726	5.87

**Q. UNDER THE 16 TAC § 25.181, WHAT IS TNMP'S 2026 DEMAND GOAL?**

A. TNMP's 2026 demand goal is 5.87 MW.

#### **IV. COMPONENTS OF 2026 RIDER EECRF**

**Q. WHY IS TNMP REQUESTING APPROVAL OF AN ADJUSTED EECRF?**

A. TNMP filed for and received approval for its initial EECRF in Docket No. 37613. Adjustments to the 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, and 2025 program costs were subsequently approved in Docket Nos. 38211, 39362, 40348, 41496, 42566, 44778, 46002, 47217, 48404, 49586, 50894, 52153, 53637, 55034, and 56657 respectively. By this filing, TNMP seeks Commission approval of the requested amount for its 2026 energy efficiency program costs to be recovered in 2026 through an adjusted Rider EECRF.

**Q. ARE ANY EECRF REVENUES THE SUBJECT OF A TRUE-UP IN THIS FILING?**

A. Yes. TNMP collected \$7,610,774 from January 1, 2024, through December 31, 2024, while actual energy efficiency program costs were \$5,571,833 ; recovery of the 2022 EE bonus of \$1,208,349; 2022 municipality rate case expenses of \$7,980; recovery of EM&V expenses of \$57,151 in 2024 (which includes true-up amounts reported by TetraTech);

and a 2022 over-recovery of \$226,547. TNMP is requesting to credit customers \$992,009 of over-collections-recovery in 2024 (which includes \$50,693 in TNMP legal expenses for the EECRF proceeding initiated in 2024) through the 2026 EECRF, as contemplated by 16 TAC § 25.182(d). The components for the calculation are shown in Exhibit SRW-3.

**Q. PLEASE SUMMARIZE THE COSTS TO BE RECOVERED THROUGH THE 2026 EECRF.**

A. Table 5 below summarizes the components of the 2026 Rider EECRF.

**Table 4**

Line No.	Description	Total
1	Bonus Expense 2022	\$1,208,349
2	Over-Recovery 2022	(226,547)
3	Municipal Expenses 2022	7,980
4	Revenues Collected in 2024	(7,610,774)
5	Incentive Expense 2024	4,625,032
6	Admin Expense 2024	833,213
7	R&D Expense 2024	113,588
8	EM&V Expenses 2024	57,151
9		
10	Remove 2024 TNMP EECRF Expenses from Admin	(50,693)
11	2024 Bonus Achieved	2,518,347
12	2026 Incentive Forecast	5,575,000
13	2026 Admin Forecast	996,727
14	2026 R&D Forecast	85,000
15	Interest on 2024 (Over)/Under recovery - 2 years	(103,449)
16	EM&V Expenses 2026	57,178
17	2024 TNMP EECRF Expenses	50,693
18	2024 Municipal Rate Case Expenses	-
19	<b>Total</b>	<b>\$8,136,795</b>

As Table 5 shows, TNMP requests collection of \$8,136,795 through the 2026 Rider EECRF to: (i) fund 2026 energy efficiency programs; (ii) refund the over-collected amounts for its 2024 programs; (iii) recover a 16 TAC § 25.182(e) performance bonus based on its 2024 program year achievements; and (iv) recover rate case expenses associated with TNMP's 2025 EECRF filing and proceeding in 2024. TNMP witness Stefani M. Case describes the requested amount of 2026 program costs. TNMP's costs for last year's

EECRF proceeding are included as an administrative expense, as shown in Exhibit SRW-3, line No. 17, and part of the over-recovery to refund.

**Q. PLEASE EXPLAIN IF THE REFUND OF THE 2024 OVER-RECOVERY WILL BE MADE TO RATE CLASSES ON THE SAME BASIS AS THE OVER-RECOVERY WAS INCURRED?**

A. As shown in Exhibits SRW-4 through SRW-9, TNMP has recorded the revenues based on rate classes, assigned the 2022 bonus to the specific rate classes (determined in the Final Order in Docket No. 55034), assigned the 2022 over-recovery (determined in the Final Order in Docket No. 55034), directly assigned the 2024 incentive expenses by rate class, directly assigned the administrative expenses when possible and allocated the remaining expenses by incentive expense, and directly assigned the R&D expense when possible and allocated the remaining expenses by incentive expense. This is the same methodology TNMP has used in prior EECRF proceedings and was approved in those proceedings.

**Q. DID TNMP CALCULATE INTEREST ON THE OVER-RECOVERY THAT OCCURRED IN 2024?**

A. Yes. In accordance with 16 TAC 25.182(d)(3), TNMP calculated interest by rate class and compounded on an annual basis using the annual interest rates approved by the Commission in Docket No. 45319.<sup>12</sup> The calculations are shown in Exhibit SRW-14 and applied to develop the rates in Exhibit SRW-3.

**V. ENERGY EFFICIENCY PERFORMANCE BONUS**

**Q. DOES THE ENERGY EFFICIENCY RULE PROVIDE FOR UTILITIES TO RECOVER A PERFORMANCE BONUS?**

A. Yes. Pursuant to 16 TAC § 25.182(e), any “utility that exceeds its demand and energy reduction goals established in §25.181 of this title at a cost that does not exceed the cost caps established in subsection (d)(7) of this section *shall* be awarded a performance bonus calculated in accordance with this subsection.” (Emphasis added).

**Q. DID TNMP EARN AN ENERGY EFFICIENCY PERFORMANCE BONUS UNDER 16 TAC § 25.182(e) BASED ON ITS 2024 PROGRAM YEAR ACHIEVEMENTS?**

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<sup>12</sup> Interest Rates Set Under Texas Utilities Code § 183.003 and Set for Overcharges and Undercharges Under 16 Texas Administrative Code § 25.28, 25.480, and 26.27, Docket No. 45319, Final Orders (November 19, 2020, November 19, 2021, and November 3, 2022).

1 Yes. As shown in TNMP's 2025 Amended EEPR, Exhibit SMC-2, Table 8, TNMP achieved  
2 demand savings equal to 16,991 kW and 15,723,649 kWh of energy savings.

3 **Q. DID TNMP EXCEED THE COST CAPS ESTABLISHED IN SUBSECTION (d)(7) OF 16**  
4 **TAC § 25.182 IN ORDER TO ACHIEVE ITS BONUS?**

5 A. No. TNMP's 2024 EECRF for the residential and non-residential customer classes were  
6 not higher than the allowed caps. The 2024 EECRF residential and non-residential cost  
7 caps were \$0.001556 per kWh per customer and \$0.000973 per kWh, respectively.  
8 TNMP's 2024 EECRF residential and non-residential, subject to the cost cap, were set at  
9 \$0.0011613 and \$0.000759,<sup>13</sup> respectively.

10 **Q. IS THE PERFORMANCE BONUS BASED ON TNMP'S ENERGY EFFICIENCY**  
11 **ACHIEVEMENTS FOR THE 2024 PROGRAM YEAR?**

12 A. Yes.

13 **Q. DOES THE BONUS CALCULATION INCLUDE DEMAND OR ENERGY SAVINGS THAT**  
14 **RESULT FROM PROGRAMS OTHER THAN PROGRAMS IMPLEMENTED UNDER**  
15 **RULE 25.181?**

16 A. No.

17 **Q. HOW WAS THE PERFORMANCE BONUS CALCULATED?**

18 A. As shown in Confidential WP/ SRW-9, each of TNMP's 2024 energy efficiency programs  
19 that resulted in actual savings did so in verified kW and kWh savings. Total avoided costs  
20 were calculated from the savings for each program using the present value of the avoided  
21 cost of capacity under 16 TAC § 25.181(d) of \$100/kW per year and \$0.16620/kWh per  
22 year, based on the appropriate measure life years of each measure implemented. The  
23 present value was calculated using a 2% escalation rate and a 7.89% discount rate, based  
24 upon TNMP's weighted average cost of capital as approved in *Application of Texas-New*  
25 *Mexico Power Company for Authority to Change Rates*, Docket No. 48401, Order (Dec.  
26 20, 2018). TNMP calculated the Percentage of Demand Reduction Goal Met (Reported  
27 16,991 kW/ Goal 5,450 kW), which equaled 312%. TNMP calculated the Percentage of  
28 Energy Reduction Goal Met (Reported 15,723,649 kWh/ Goal 9,548,000 kWh), which  
29 equaled 165%. Since both percentages were over 100%, and at least 5% of TNMP's total  
30 demand savings were achieved through programs for hard-to-reach customers, TNMP

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<sup>13</sup> *Texas-New Mexico Power Company Request to Adjust its Energy Efficiency Cost Recovery Factor (EECRF)*, Docket No. 56657, Settlement Agreement Exhibit A (October 24, 2024).

met the requirements for a performance bonus equal to the maximum of 10% of the utility's total net benefits, under 16 TAC § 25.182(e).

TNMP then calculated the total avoided cost as: Total Avoided Cost equals the (Reported kW \* PV (Avoided Capacity Cost) + Reported kWh \* PV (Avoided Energy Cost), which equaled \$25,183,472. To calculate the net benefit, the Total 2024 Program Expenses (including the previous year's bonus) were subtracted from the Total Avoided Cost. See Confidential WP/ SRW-9.

**Q. PLEASE PROVIDE SUPPORT FOR THE NET BENEFITS CALCULATION, INCLUDING THE WEIGHTED AVERAGE COST OF CAPITAL, USEFUL LIFE OF EQUIPMENT OR MEASURE, AND QUANTITY OF EACH MEASURE IMPLEMENTED.**

A. TNMP witness Stefani M. Case has included the useful life and quantity of each measure in Exhibit SMC-8. Below is an excerpt from the Final Order in Docket No. 48401 supporting TNMP's Commission-approved weighted average cost of capital:

TNMP must use a weighted average cost of capital of 7.89%, which is based on a 6.44% cost of debt, an authorized return on equity of 9.65%, and an authorized regulatory capital structure of 55% long-term debt and 45% equity, in all Commission proceedings or filings requiring application of those items.<sup>14</sup>

**Q. IS TNMP ALLOCATING THE BONUS IN PROPORTION TO THE PROGRAM COSTS ASSOCIATED WITH MEETING THE DEMAND AND ENERGY GOALS?**

A. Yes. Exhibit SRW-9 allocates the bonus in proportion to the program costs, which have been calculated in Exhibit SRW-5.

**VI. ENERGY EFFICIENCY COST RECOVERY**

**Q. WHAT ARE THE STATUTORY POLICY CONSIDERATIONS THAT GOVERN THE ENERGY EFFICIENCY COST RECOVERY FACTOR?**

A. The Texas Legislature recognized that a utility should have access to a mechanism to enable it to fully and timely recover the costs of providing the energy efficiency programs to meet the objectives of PURA § 39.905, as well as earn a shareholder bonus.

**Q. WHAT ARE THE REQUIRED ELEMENTS OF AN EECRF?**

A. As outlined in the Commission's rules for energy efficiency, an EECRF rate schedule shall be included in the utility's tariff to permit the utility to recover the reasonable costs of

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<sup>14</sup> *Application of Texas-New Mexico Power Company for Authority to Change Rates*, Docket No. 48401, Order at 17 (Dec. 20, 2018).

1 providing energy efficiency programs in a timely manner. Since TNMP does not collect  
2 any amount of energy efficiency costs in base rates as contemplated by 16 TAC §  
3 25.182(d)(4), the EECRF is to address prior year under- or over-recovery of energy  
4 efficiency costs, municipality and TNMP proceeding expenses incurred in Docket No.  
5 56657, any performance bonus achieved for TNMP's 2024 programs, and EM&V costs  
6 allocated to TNMP by the Commission Staff. The EECRF is also to be calculated to  
7 recover the costs associated with each energy efficiency program from the customer  
8 classes that receive the services under each program. The Commission may approve an  
9 energy charge, or a demand charge, for those customers whose base rates provide for a  
10 demand charge.

11 **Q. HAS TNMP INCLUDED ITS FORECASTED ENERGY EFFICIENCY COSTS?**

12 A. Yes. TNMP's forecasted energy efficiency costs are included in TNMP's Amended EEPR  
13 (witness Stefani M. Case's Exhibit SMC-2) and are summarized in Exhibit SRW-3.

14 **Q. HAS TNMP INCLUDED THE ACTUAL BASE RATE RECOVERY OF ENERGY**  
15 **EFFICIENCY COSTS, ADJUSTED FOR CHANGES IN LOAD SUBSEQUENT TO THE**  
16 **LAST BASE RATE PROCEEDING, WITH SUPPORTING CALCULATIONS?**

17 A. No. Since TNMP's settlement in *Application of Texas-New Mexico Power Company for*  
18 *Authority to Change Rates*, Docket No. 36025 (Aug. 21, 2009), TNMP has been collecting  
19 energy efficiency costs outside of base rates. The Final Order in that proceeding included  
20 specific language prohibiting collection of energy efficiency costs in base rates. Finding of  
21 Fact No. 30 states:

22 Consistent with the Stipulation, the Signatories agreed that TNMP will not  
23 collect energy efficiency costs through base rates but may seek recovery  
24 through an Energy Efficiency Cost Recovery Factor (EECRF) filing  
25 pursuant to PUC Subst. R. 25.181.<sup>15</sup>  
26

27 **Q. HAS TNMP INCLUDED ACTUAL EECRF REVENUES BY RATE CLASS FOR ANY**  
28 **PERIOD FOR WHICH TNMP CALCULATES AN UNDER- OR OVER-RECOVERY OF**  
29 **EECRF COSTS?**

30 A. Yes. TNMP has included the actual revenues collected by rate class in Exhibit SRW-4.

31 **Q. DOES TNMP NEED TO MAKE ANY ADJUSTMENT FOR PAST OVER- OR UNDER-**  
32 **RECOVERY OF ENERGY EFFICIENCY REVENUES?**

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<sup>15</sup> *Application of Texas-New Mexico Power Company for Authority to Change Rates*, Docket No. 36025, Order at 8 (Aug. 21, 2009).

1 A. Yes. TNMP has included the elements to determine the over- or under- recovery collected  
2 through TNMP's EECRF, effective January 1, 2024, through December 31, 2024. These  
3 elements are shown in Exhibit SRW-3, line Nos. 1–9. The 2022 amounts associated with  
4 the bonus expense and the over-recovery were established in Docket No. 55034. The  
5 revenue collected is the amount billed to each ESI ID based on their tariff rate. The 2024  
6 program amounts are based on the amounts spent and reflected in TNMP witness Stefani  
7 M. Case's Exhibit SMC-2, pg. 24, Table 8, and have been included in Exhibits SRW-6,  
8 SRW-7, and SRW-8.

9 **Q. EXPLAIN HOW TNMP DETERMINED THE BILLING DETERMINANTS FOR THE MOST**  
10 **RECENT YEAR AND FOR THE YEAR IN WHICH THE EECRF IS EXPECTED TO BE**  
11 **IN EFFECT.**

12 A. TNMP has included the forecasted 2026 billing kWh. TNMP is proposing to continue billing  
13 the 2026 EECRF based on the most recent forecasted kWh for year 2026 reduced by the  
14 five-year average kWh of the industrial opt-out customers.

15 **Q. ARE SYSTEM LOSSES OR LINE LOSSES INCORPORATED INTO CALCULATING**  
16 **THE RIDER EECRF CHARGES?**

17 A. No. TNMP is using kWh that has been recorded at the meter for each customer class;  
18 therefore, line losses have already been factored into the billing determinants.

19 **Q. HAS TNMP PERFORMED THE DIRECT ASSIGNMENT AND ALLOCATION OF**  
20 **ENERGY EFFICIENCY COSTS TO TNMP'S ELIGIBLE RATE CLASSES,**  
21 **RECOGNIZING THAT TNMP'S ACTUAL EECRF EXPENDITURES BY RATE CLASS**  
22 **MAY DEVIATE FROM THE PROJECTED EXPENDITURES BY RATE CLASS?**

23 A. Yes. The incentive, administrative, and R&D expenses have been directly assigned to  
24 each energy efficiency program as reported in TNMP 2024's Amended EEPR and are  
25 reflected in Exhibit SRW-5. Allocation factors for each program were created for the 2024  
26 incentive expense. For programs that were implemented for residential customers, TNMP  
27 allocated 100% of the incentive, administrative, and R&D expenses to the residential  
28 customer class. For programs that were implemented for non-residential customers,  
29 TNMP allocated the incentive expenses based on the actual incentive expense incurred  
30 by each rate class. Because the administrative and R&D expenses cannot be directly  
31 assigned to specific ESI IDs within a rate class, TNMP allocated these costs based on the  
32 incentives incurred by each rate class. This is the same manner in which TNMP has

1 allocated these costs in prior proceedings, and that have been approved by the  
2 Commission.

3 **Q. HAS TNMP INCLUDED THE INFORMATION CONCERNING CALCULATIONS OF THE**  
4 **COST CAPS FOR THE RESIDENTIAL AND NON-RESIDENTIAL CUSTOMER**  
5 **CLASSES?**

6 A. Yes. The total EECRF costs outlined in 16 TAC § 25.182(d)(1), excluding EM&V costs  
7 and municipal EECRF proceeding expenses, are included in Exhibit SRW-2. As shown in  
8 Exhibit SRW-2, the 2026 program year EECRF components subject to the caps do not  
9 exceed the 2026 residential and commercial cost caps, increased by a rate equal to the  
10 most recently available calendar year's percentage change in the South Urban Consumer  
11 Price Index (CPI) as determined by the Federal Bureau of Labor Statistics. As shown in  
12 Exhibit SRW-2, TNMP's proposed EECRF rates are below the cost caps.

13 **Q. DOES TNMP'S EECRF INCLUDE THE FORECASTED ANNUAL ENERGY**  
14 **EFFICIENCY PROGRAM COSTS?**

15 A. Yes. This is shown in Exhibit SRW-3, lines 12-14. TNMP witness Stefani M. Case will  
16 discuss the specifics of the forecasted EE program costs.

17 **Q. DOES TNMP'S EECRF SCHEDULES INCLUDE ANY MUNICIPAL COSTS**  
18 **ASSOCIATED WITH DOCKET NO. 56657?**

19 A. No. Municipalities have not submitted any invoices.

20 **Q. DOES TNMP'S EECRF INCLUDE TNMP'S COSTS ASSOCIATED WITH DOCKET NO.**  
21 **56657?**

22 A. Yes. 16 TAC § 25.181(g)(1)(F) requires the utility's costs for its prior EECRF proceeding  
23 conducted be included as an administrative expense as is reflected in the amount shown  
24 in Exhibit SRW-3, line No. 17. TNMP witness Michael S. Seamster will discuss the  
25 reasonableness and necessity of these rate case expenses.

26 **Q. DOES TNMP'S EECRF INCLUDE AN ESTIMATE OF EM&V COSTS FOR CALENDAR**  
27 **YEAR 2026?**

28 A. Yes. The amount estimated for the EM&V contractor is included in Exhibit SRW-13.

29 **Q. IS TNMP DIRECTLY ASSIGNING COSTS TO EACH RATE CLASS THAT RECEIVES**  
30 **SERVICE UNDER THE PROGRAMS?**

31 A. Yes. To the maximum extent possible, TNMP is directly assigning the 2024 incentive  
32 expense, 2024 administrative expense, and 2024 R&D expense. TNMP is able to



determine the specific ESI ID to which incentive payments were made and the corresponding tariff rate class assigned to that ESI ID. For administrative costs and R&D costs, where TNMP is able to directly allocate costs to a specific program, and the specific customers in a tariff class, TNMP has made those direct assignments. For the amounts that could not be directly assigned, TNMP has allocated the expenses in proportion to program incentive costs.

**Q. IS TNMP PROPOSING TO CONTINUE TO BILL THE EECRF TO ELIGIBLE CUSTOMERS ON A PER KWH BASIS?**

A. Yes. TNMP will bill both residential and commercial customers on an energy charge, since not all commercial customers are billed on demand.

**Q. WHAT ARE THE COST CAPS THAT TNMP'S EECRF RATES MUST BE UNDER?**

A. The residential customer cap for 2026 is \$0.001674 per kWh and the commercial cap is \$0.001047 per kWh.

**Q. ARE THESE ELEMENTS OF THE RULE MET BY THE EECRF RIDER PROPOSED BY TNMP?**

A. Yes. Exhibit SRW-2 shows that the cost caps are met. The reasonableness of the costs of TNMP's energy efficiency programs is covered in the testimony of TNMP witness Stefani M. Case. Under- and over-recovery of energy efficiency costs are covered in my testimony in Section IV. The allocation of energy efficiency costs to the customer classes that receive the services is discussed in Section VII of my testimony, as is the billing determinants estimation methodology.

**Q. WHEN IS TNMP REQUESTING THE COMMISSION MAKE RIDER EECRF EFFECTIVE?**

A. Consistent with the requirement in 16 TAC § 25.182(d)(8), TNMP requests an effective date of March 1, 2026, for Rider EECRF (Exhibit SRW-16). While this change will not be effective until March 1, 2026, the revenues collected from January 1, 2026 through December 31, 2026 will be applied to the 2026 EE program revenue requirement.

**VII. ALLOCATION OF COSTS TO BE INCLUDED IN 2026 EECRF**

**Q. HOW DOES TNMP PROPOSE TO ALLOCATE THE 2026 ENERGY EFFICIENCY COSTS INCLUDED IN TNMP'S 2026 RIDER EECRF?**

A. 16 TAC § 25.182(d)(2) requires that costs be "directly assigned to each rate class that receives services under the programs to the maximum extent reasonably possible."

Where possible, TNMP has directly assigned incentive, administrative expenses, and R&D expenses, as well as the 2024 over-recovery, to the appropriate rate classes. Exhibits SRW-5 through SRW-13 identify the costs that have been directly assigned and the remaining amounts which have been allocated.

**Q. HOW DOES TNMP PROPOSE TO ALLOCATE THE 2024 OVER-RECOVERY AMOUNT?**

A. By comparing actual 2024 EECRF revenues with actual 2024 energy efficiency expenses, by rate class, TNMP directly assigned a portion of the over-recovery to each class. The remaining administrative expense that cannot be directly assigned is allocated on the incentives paid directly to each class. All expenses for the residential class were directly assigned. Treatment in this manner is consistent with TNMP's previous EECRF applications, in which similar small amounts that could not be assigned to a single class were allocated in a similar fashion, as well as 16 TAC § 25.181(g), which states:

Any portion of these costs which are not directly assignable to a specific program shall be allocated among the programs in proportion to the program incentive costs.

**Q. HOW DOES TNMP PROPOSE TO ALLOCATE THE 2024 PERFORMANCE BONUS?**

A. Under 16 TAC § 25.182(e), the energy efficiency performance bonus is based on 2024 achievements. Further, 16 TAC § 25.181(e) requires the bonus to be allocated in proportion to the program costs associated with meeting the demand and energy goals and allocated to eligible customers on a rate class basis. See Exhibit SRW-9, which allocates the bonus to the different programs based on the program cost. For non-residential programs, TNMP used the incentives paid to allocate between rate classes.

**Q. HOW DOES TNMP PROPOSE TO ALLOCATE THE 2026 EM&V EXPENSE?**

A. TNMP has allocated the EM&V expenses by each program based on Tetra Tech's allocations provided for program year 2025 review. For residential programs, the EM&V costs were allocated 100% to the residential rate class. For the non-residential programs, TNMP allocated the 2026 amounts to the rate classes based on the 2026 estimated incentives allocated to each rate class (WP 2026 Budget).

**Q. PLEASE DESCRIBE EXHIBIT SRW-2.**

A. Exhibit SRW-2 demonstrates that TNMP's proposed EECRF for residential and non-residential customers is under the cost caps.

**Q. PLEASE DESCRIBE EXHIBIT SRW-3.**

1 A. Exhibit SRW-3 provides a summary, by rate class, for each component of the EECRF and  
2 calculates the EECRF rates that will be used in Exhibit SRW-15 Rider EECRF.

3 **Q. PLEASE DESCRIBE EXHIBIT SRW-4.**

4 A. Exhibit SRW-4 shows the 2024 revenues collected through the existing Rider EECRF by  
5 rate class and by month.

6 **Q. PLEASE DESCRIBE EXHIBIT SRW-5.**

7 A. Exhibit SRW-5 shows the 2024 expenses for each energy efficiency program broken out  
8 by incentive, administrative costs, and R&D. In addition, SRW-5 calculates the program  
9 cost percentages that will be used to allocate the performance bonus.

10 **Q. PLEASE DESCRIBE EXHIBIT SRW-6.**

11 A. Exhibit SRW-6 shows the incentives paid for each energy efficiency program and the  
12 allocations to each rate class.

13 **Q. PLEASE DESCRIBE EXHIBIT SRW-7.**

14 A. Exhibit SRW-7 shows the administrative costs paid for each energy efficiency program  
15 and the allocations to each rate class. For administrative costs that could not be 100%  
16 directly assigned to a rate class, TNMP allocated these costs based on the incentive paid  
17 for the programs.

18 **Q. PLEASE DESCRIBE EXHIBIT SRW-8.**

19 A. Exhibit SRW-8 shows the R&D costs paid for each energy efficiency program and the  
20 allocations to each rate class. For R&D costs that could not be 100% directly assigned to  
21 a rate class, TNMP allocated these costs based on the incentive paid for the programs.

22 **Q. PLEASE DESCRIBE EXHIBIT SRW-9.**

23 A. Exhibit SRW-9 shows the allocation of the shareholder bonus to each class based on  
24 program cost.

25 **Q. PLEASE DESCRIBE EXHIBITS SRW-10 THROUGH SRW-12.**

26 A. Exhibits SRW-10 through SRW-12 show the allocation of the program 2025 incentive,  
27 administrative costs, and R&D to each rate class. TNMP directly assigned the costs to  
28 each program, except load management. For the load management program, TNMP  
29 allocated the costs between the Primary and Secondary Service Greater than 5kW class,  
30 based on 2024 incentives paid.

31 **Q. PLEASE DESCRIBE EXHIBIT SRW-13.**

1 A. SRW-13 describes the estimated EM&V by rate class for calendar year 2026.

2 **Q. PLEASE DESCRIBE EXHIBIT SRW-14.**

3 A. Exhibit SRW-14 calculates interest by rate class and compounded on an annual basis  
4 using the annual interest rates approved by the Commission in Docket No. 45319.<sup>16</sup>

5 **Q. ARE ANY OF THE ENERGY EFFICIENCY EXPENSES INCURRED ASSOCIATED**  
6 **WITH ANY AFFILIATE COSTS?**

7 A. No. For the costs incurred for program year 2024, TNMP did not incur any cost from PNMR  
8 Services Co. or Public Service Company of New Mexico.

9 **VIII. CONCLUSIONS**

10 **Q. PLEASE SUMMARIZE YOUR TESTIMONY AND RECOMMENDATIONS.**

11 A. I have explained the standards for energy efficiency recovery, the calculation of the 2026  
12 demand goal, and have calculated the amounts by rate class to be recovered through the  
13 Rider EECRF for the forecast year of 2026. I have also accurately calculated the proposed  
14 EECRF charges on a kWh basis for each rate class and included these factors in the  
15 revised Rider EECRF. TNMP has accurately and correctly calculated its proposed EECRF  
16 for 2025, consistent with the requirements of 16 TAC § 25.182, and I recommend approval  
17 of the adjusted Rider EECRF with an effective date of March 1, 2026, to meet a 5.87 MW  
18 goal.

19 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

20 A. Yes, it does.

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<sup>16</sup> *Interest Rates Set Under Texas Utilities Code § 183.003 and Set for Overcharges and Undercharges Under 16 Texas Administrative Code § 25.28, 25.480, and 26.27, Docket No. 45319, Final Orders (Nov. 3, 2023, and Nov. 21, 2024).*

**AFFIDAVIT**

**STATE OF TEXAS**

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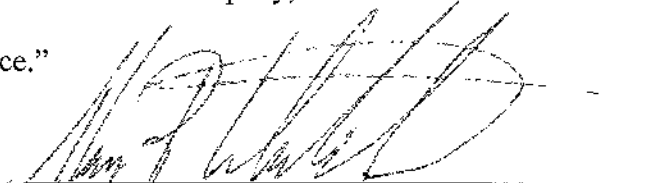
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**COUNTY OF DENTON**

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BEFORE ME, the undersigned authority, on this day personally appeared Stacy R. Whitehurst who, upon proving his identity to me and by me being duly sworn, deposes and states the following:

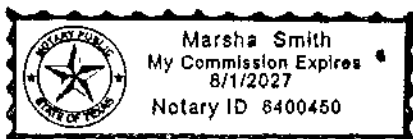
“My name is Stacy R. Whitehurst. I am of legal age, a resident of the State of Texas, and have never been convicted of a felony. I certify that the foregoing testimony and exhibit(s), offered by me on behalf of Texas-New Mexico Power Company, are true and correct and based upon my personal knowledge and experience.”

  
Witness

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SWORN TO AND SUBSCRIBED before me, Notary Public, on this 20 day of May, 2025, to certify which witness my hand and seal of office.

  
NOTARY PUBLIC in and for the  
State of Texas



Printed Name: Marsha Smith  
My Commission expires: 8/1/27

**STACY R. WHITEHURST**

**Education Background and Business Experience**

Stacy R. Whitehurst is the Vice President of Regulatory Affairs for TNMP. Mr. Whitehurst has been employed in the electric utility industry since 2000, when he accepted a position as a senior analyst with Texas-New Mexico Power Company. In this capacity, he was responsible for creation of and modifications to TNPE's customer information and billing systems to support the deregulation of electricity.

In August 2003, Mr. Whitehurst accepted the position of Senior Analyst in the Regulatory Affairs department. Following the acquisition of TNP Enterprises by PNM Resources on June 6, 2005, Mr. Whitehurst was promoted to Supervisor of Texas Regulatory Policy. Mr. Whitehurst was promoted to his current position in June 2011.

Mr. Whitehurst holds a Bachelor's Degree from Texas A&M University.

**PROCEEDINGS IN WHICH STACY R. WHITEHURST FILED TESTIMONY**

<b><u>JURISDICTION</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>DESCRIPTION</u></b>
Texas	29206	Application of Texas-New Mexico Power Company, First Choice Power, Inc. and Texas Generating Company, L.P. to Finalize Stranded Costs under PURA § 39.262
Texas	31825	Application of First Choice Power Special Purpose, LP to Increase its Price to Beat Fuel Factors
Texas	31994	Application of Texas-New Mexico Power Company to Adjust the Competition of Transition Charge Pursuant to PURA § 39.262(g)
Texas	32109	Application of First Choice Power Special Purpose, L.P. to Adjust its Price to Beat Base Rates Pursuant to PURA § 39.202 and PUC Subst. R. § 25.41(g)(3)
Texas	32795	Staff's Petition to Initiate a Generic Proceeding to Re-Allocate Stranded Costs Pursuant to PURA § 39.533(f)
Texas	35460	Petition of PNM Resources, Inc. and Cap Rock Energy Corporation Regarding Proposed Merger and Acquisition of Stock
Texas	36025	Application of Texas-New Mexico Power Company for Authority to Change Rates
Texas	37613	Application of Texas-New Mexico Power Company for Approval of an Energy Efficiency Cost Recovery Factor
Texas	38211	Application of Texas-New Mexico Power Company for Approval of an Energy Efficiency Cost Recovery Factor
Texas	38306	Texas-New Mexico Power Company's Request for Approval of Advance Metering System (AMS) Deployment and AMS Surcharge
Texas	38480	Application of Texas-New Mexico Power Company for Authority to Change Rates
Texas	38880	Application of Texas-New Mexico Power Company for Rate Case Expense Severed from PUC Docket No. 38480; SOAH Docket No. 473-10-6053
Texas	39362	Application of Texas-New Mexico Power Company for Approval of an Energy Efficiency Cost Recovery Factor

**PROCEEDINGS IN WHICH STACY R. WHITEHURST FILED TESTIMONY**

<b><u>JURISDICTION</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>DESCRIPTION</u></b>
Texas	40348	Application of Texas-New Mexico Power Company for Approval of An Energy Efficiency Cost Recovery Factor
Texas	40516	Annual Compliance of Texas-New Mexico Power Company to Reduce Certain Discretionary Charges
Texas	41496	Application of Texas-New Mexico Power Company for Approval to Adjust Its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	41629	Annual Compliance of Texas-New Mexico Power Company to Reduce Certain Discretionary Charges
Texas	41756	Application of Texas-New Mexico Power Company to Amend its Certificate of Convenience and Necessity for the Proposed Westminster 138-kV Transmission Line in Collin County
Texas	41901	Compliance Tariff of Texas-New Mexico Power Company Related to Non-Standard Metering Service Pursuant PUC Subst. R. § 25.133
Texas	42566	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	42638	Annual Compliance of Texas-New Mexico Power Company to Reduce Certain Discretionary Charges
Texas	44340	Application of Texas-New Mexico Power Company for Interim Update of Wholesale Transmission Rates Pursuant to Subst. R. § 25.192(h)
Texas	44778	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	44900	Annual Compliance Filing of Texas-New Mexico Power Company to Reduce Certain Discretionary Charges
Texas	45216	Application of Texas-New Mexico Power Company to Reconcile Advanced Metering System Costs
Texas	46002	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief



**PROCEEDINGS IN WHICH STACY R. WHITEHURST FILED TESTIMONY**

<b><u>JURISDICTION</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>DESCRIPTION</u></b>
Texas	46119	Annual Compliance Filing of Texas-New Mexico Power Company to Reduce Certain Discretionary Charges
Texas	47217	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	48401	Application of Texas-New Mexico Power Company for Authority to Change Rates
Texas	48404	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	48591	Review of Rate Case Expenses Incurred by Texas-New Mexico Power Company and Municipalities in Docket Nos. 48401, 35038, and 41901
Texas	49586	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	50731	Application of Texas-New Mexico Power Company for a Distribution Cost Recovery Factor
Texas	50894	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	51387	Application of Texas-New Mexico Power Company for Change in Deployed Advanced Meter Technology
Texas	51547	Joint Report and Application of Texas-New Mexico Power Company, NM Green Holdings, Inc., and Avangrid, Inc. for Regulatory Approvals Under PURA § 14.101, 39.262, and 39.915
Texas	51959	Application of Texas-New Mexico Power Company to Amend its Distribution Cost Recovery Factor
Texas	52153	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	52314	Application of Texas-New Mexico Power Company to Reconcile Advanced Metering System Costs

**PROCEEDINGS IN WHICH STACY R. WHITEHURST FILED TESTIMONY**

<b><u>JURISDICTION</u></b>	<b><u>DOCKET NO.</u></b>	<b><u>DESCRIPTION</u></b>
Texas	53436	Application of Texas-New Mexico Power Company to Amend its Distribution Cost Recovery Factor
Texas	53637	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	54807	Application of Texas-New Mexico Power Company to Amend its Distribution Cost Recovery Factor
Texas	55034	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	56428	Application of Texas-New Mexico Power Company to Amend its Distribution Cost Recovery Factor
Texas	56657	Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief
Texas	56887	Application of Texas-New Mexico Power Company to Amend its Distribution Cost Recovery Factor
Texas	56954	Application of Texas-New Mexico Power Company for Approval of a System Resiliency Plan
Texas	57816	Application of Texas-New Mexico Power Company to Amend its Distribution Cost Recovery Factor

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
2026 COST CAP CALCULATIONS**

<b>Line No.</b>	<b>Description</b>	<b>Residential</b>	<b>Non- Residential</b>	<b>Total</b>
1	Bonus Expense 2022	\$ 716,978	491,371	\$ 1,208,349
2	Over-Recovery 2022	(162,167)	(64,381)	(226,547)
3	Municipal Expenses 2022	4,597	3,383	7,980
4	Revenues Collected in 2024	(3,880,481)	(3,730,293)	(7,610,774)
5	Incentive Expense 2024	2,712,776	1,912,256	4,625,032
6	Admin Expense 2024	556,962	276,251	833,213
7	R&D Expense 2024	66,624	46,964	113,588
8	EM&V Expenses 2024	29,035	28,116	57,151
9		-	-	-
10	2024 Bonus Achieved	1,664,173	854,174	2,518,347
11	2026 Incentive Forecast	3,050,000	2,525,000	5,575,000
12	2026 Admin Forecast	666,264	330,463	996,727
13	2026 R&D Forecast	49,856	35,144	85,000
14				
15	Total	\$ 5,474,618	\$ 2,708,448	\$ 8,183,066
16	2026 Billing kWh	3,354,525,155	5,274,947,235	
17	2025 Cap	0.001626	0.001017	
18	South Urban CPI Δ (see Wp CPI)	2.9569%	2.9569%	
19	2026 Caps	\$ 0.001674	\$ 0.001047	
20				
21	TNMP's Cap impact	\$ 0.0016320	\$ 0.000513	
22	<b>Over/(under)</b>	<b>\$ (0.0000420)</b>	<b>\$ (0.0005335)</b>	
23				
24	<b>Budget Over/(under)</b>	<b>(140,857)</b>	<b>(2,814,422)</b>	
25	<b>Cost Cap Status</b>	Compliant	Compliant	
26				
27				

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
2026 EECRF SUMMARY**

Line No.	Description	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	Bonus Expense 2022	\$ 716,978	20,902	\$ 361,049	\$ 109,421	\$ -	\$ -	\$ 1,208,349
2	Over-Recovery 2022	(162,167)	(253,012)	(105,691)	294,190	-	132	(226,547)
3	Municipal Expenses 2022	4,597	144	2,486	753	-	-	7,980
4	Revenues Collected in 2024	(3,880,481)	101,592	(2,324,731)	(1,507,100)	-	(54)	(7,610,774)
5	Incentive Expense 2024	2,712,776	81,649	1,810,374	20,233	-	-	4,625,032
6	Admin Expense 2024	556,962	11,795	261,532	2,923	-	-	833,213
7	R&D Expense 2024	66,624	2,005	44,462	497	-	-	113,588
8	EM&V Expenses 2024	29,035	1,227	26,552	337	-	-	57,151
9								
10	Remove 2024 TNMP EECRF Expenses from Admin	(29,734)	(895)	(19,843)	(222)	-	-	(50,693)
11	2024 Bonus Achieved	1,664,173	24,493	829,681	-	-	-	2,518,347
12	2026 Incentive Forecast	3,050,000	90,667	2,405,203	29,130	-	-	5,575,000
13	2026 Admin Forecast	666,264	14,110	312,857	3,497	-	-	996,727
14	2026 R&D Forecast	49,856	1,501	33,272	372	-	-	85,000
15	Interest on 2024 (Over)/Under recovery - 2 years	4,622	(3,514)	7,929	(112,494)	-	8	(103,449)
16	EM&V Expenses 2026	30,741	613	25,244	580	-	-	57,178
17	2024 TNMP EECRF Expenses	29,734	895	19,843	222	-	-	50,693
18	2024 Municipal Rate Case Expenses	-	-	-	-	-	-	-
19	<b>Total</b>	<b>\$ 5,509,981</b>	<b>\$ 94,172</b>	<b>\$ 3,690,216</b>	<b>\$ (1,157,661)</b>	<b>\$ -</b>	<b>\$ 87</b>	<b>\$ 8,136,795</b>
20								
21	2026 Forecasted EECRF Billing kWh	3,354,525,155	49,640,269	2,363,129,881	2,830,066,410	6,927,171,791	32,110,674	
22	2026 EECRF per kWh	\$ 0.001643	\$ 0.001897	\$ 0.001562	\$ (0.000409)	\$ -	\$ 0.000003	
23								8,147,331

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
ACTUAL REVENUES COLLECTED FOR YEAR ENDING 2024**

Line No.	Month	Residential	Secondary Sevice Less than 5 kW	Secondary Sevice Greater than 5 kW	Primary	Transmission	Lighting	Total
1	Jan-2024	\$ 334,611	\$ (5,796)	\$ 199,462	\$ 44,373	\$ -	\$ (6)	\$ 572,645
2	Feb-2024	356,529	(6,367)	218,626	55,772	-	(6)	624,554
3	Mar-2024	219,844	(8,975)	159,769	100,157	-	8	470,803
4	Apr-2024	213,352	(8,702)	159,997	182,715	-	8	547,369
5	May-2024	272,516	(8,812)	180,824	145,838	-	8	590,374
6	Jun-2024	375,024	(9,243)	207,958	141,154	-	8	714,900
7	Jul-2024	435,941	(11,634)	219,966	136,886	-	8	781,166
8	Aug-2024	425,535	(9,386)	223,228	124,082	-	(6)	763,453
9	Sep-2024	415,167	(9,439)	221,626	131,757	-	8	759,119
10	Oct-2024	338,396	(6,869)	200,000	147,644	-	8	679,178
11	Nov-2024	262,852	(8,872)	181,087	150,502	-	8	585,577
12	Dec-2024	230,715	(7,498)	152,189	146,221	-	8	521,635
13								-
14	<b>Total</b>	<b>\$ 3,880,481</b>	<b>\$ (101,592)</b>	<b>\$ 2,324,731</b>	<b>\$ 1,507,100</b>	<b>\$ -</b>	<b>\$ 54</b>	<b>7,610,774</b>

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
ENERGY EFFICIENCY EXPENSES FOR YEAR ENDING 2024**

Line No.	EE Program	Incentive	Admin	R&D	Total	2024 TNMP Rate Case Expenses included in Admin Col.	Program Cost Percentage
1	Open for Small Business	\$ 351,914	50,840	8,643	411,397	\$ 3,857	7.38%
2	SCORE/CitySmart	\$ 634,876	91,713	15,592	742,181	\$ 6,959	13.32%
3	Commercial Solutions	\$ 630,276	91,053	15,479	\$ 736,808	\$ 6,908	13.22%
4						\$ -	0.00%
5	Load Management	\$ 295,190	42,645	7,250	345,084	\$ 3,235	6.19%
6	Residential SOP	\$ 1,228,934	267,624	30,182	1,526,740	\$ 13,470	27.41%
7	Hard-to-Reach SOP	\$ 423,522	92,230	10,401	526,153	\$ 4,642	9.45%
8	REP Pilot	\$ -	-	-	-	\$ -	0.00%
9	Low Income	\$ 599,266	130,502	14,718	744,485	\$ 6,568	13.37%
10	High Performance Homes	\$ 461,055	66,607	11,323	538,985	\$ 5,053	9.67%
11							0.00%
12							0.00%
13							0.00%
14							0.00%
15							
16	Total	\$ 4,625,032	\$ 833,213	\$ 113,588	\$ 5,571,833	\$ 50,693	100%
17	% of Total Budget	83.01%	14.9540%	2.04%			
18	Cap Compliant	COMPLIANT	COMPLIANT	COMPLIANT		\$ 50,693	

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
INCENTIVES PAID BY RATE CLASS FOR YEAR ENDING 2024**

Line No.	EE Program	Incentive	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	Commercial SOP								
2	Commercial Solutions	630,276	\$ -	\$ 79,855	\$ 550,421	\$ -	\$ -	\$ -	\$ 630,276
3	Open for Small Business	351,914	-	-	351,914	-	-	-	351,914
4	SCORE/CitySmart	634,876	-	1,794	633,082	-	-	-	634,876
5	Load Management	295,190	-	-	274,957	20,233	-	-	295,190
6	Residential SOP	1,228,934	1,228,934	-	-	-	-	-	1,228,934
7	Hard-to-Reach SOP	423,522	423,522	-	-	-	-	-	423,522
8	REP Pilot	-	-	-	-	-	-	-	-
9	Low Income	599,266	599,266	-	-	-	-	-	599,266
10	High Performance Homes	461,055	461,055	-	-	-	-	-	461,055
11								-	-
12			-	-	-	-	-	-	-
13									
14									
15									
16	Total	\$ 4,625,032	\$ 2,712,776	\$ 81,649	\$ 1,810,374	\$ 20,233	\$ -	\$ -	\$ 4,625,032

**TEXAS-NEW MEXICO POWER COMPANY**  
**ENERGY EFFICIENCY COST RECOVERY FACTOR**  
**ADMIN PAID/ALLOCATED BY RATE CLASS FOR YEAR ENDING 2024**

Line No.	EE Program	Admin	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	Commercial Solutions	\$ 91,053	\$ -	\$ 11,536	\$ 79,517	\$ -	\$ -	\$ -	\$ 91,053
2	Open for Small Business	50,840	-	-	50,840	-	-	-	50,840
3	SCORE/CitySmart	91,713	-	259	91,454	-	-	-	91,713
4	Load Management	42,645	-	-	39,722	2,923	-	-	42,645
5	Residential SOP	267,624	267,624	-	-	-	-	-	267,624
6	Hard-to-Reach SOP	92,230	92,230	-	-	-	-	-	92,230
7	Online Marketplace Pilot	-	-	-	-	-	-	-	-
8	Low Income	130,502	130,502	-	-	-	-	-	130,502
9	High Performance Homes	66,607	66,607	-	-	-	-	-	66,607
10									
11									
12									
13									
14									
15	Total	\$ 833,213	\$ 556,962	\$ 11,795	\$ 261,532	\$ 2,923	\$ -	\$ -	\$ 833,213



TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
R&D PAID BY RATE CLASS FOR YEAR ENDING 2024

Line No.	EE Program	R&D	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	Commercial Solutions	\$ 15,479	\$ -	\$ 1,961	\$ 13,518	\$ -	\$ -	\$ -	\$ 15,479
2	Open for Small Business	8,643	-	-	8,643	-	-	-	8,643
3	SCORE/CitySmart	15,592	-	44	15,548	-	-	-	15,592
4	Load Management	7,250	-	-	6,753	497	-	-	7,250
5	Residential SOP	30,182	30,182	-	-	-	-	-	30,182
6	Hard-to-Reach SOP	10,401	10,401	-	-	-	-	-	10,401
7	REP Pilot	-	-	-	-	-	-	-	-
8	Low Income	14,718	14,718	-	-	-	-	-	14,718
9	High Performance Homes	11,323	11,323	-	-	-	-	-	11,323
10	Jan-1900	-	-	-	-	-	-	-	-
11									
12									
13									
	Total	\$ 113,588	\$ 66,624	\$ 2,005	\$ 44,462	\$ 497	\$ -	\$ -	\$ 113,588

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
BONUS ALLOCATION BY RATE CLASS FOR YEAR ENDING 2024**

Line No.	EE Program	Bonus	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	Open for Small Business	185,890	\$ -	23,552	162,338	-	-	-	\$ 185,890
2	SCORE/CitySmart	335,355	\$ -	-	335,355	-	-	-	335,355
3	Commercial Solutions	332,928	\$ -	941	331,987	-	-	-	332,928
4	Jan-1900	-	\$ -	-	-	-	-	-	-
5	Load Management	155,927	\$ 155,927	-	-	-	-	-	155,927
6	Residential SOP	690,245	\$ 690,245	-	-	-	-	-	690,245
7	Hard-to-Reach SOP	237,876	\$ 237,876	-	-	-	-	-	237,876
8	REP Pilot	-	\$ -	-	-	-	-	-	-
9	Low Income	336,585	\$ 336,585	-	-	-	-	-	336,585
10	High Performance Homes	243,541	\$ 243,541	-	-	-	-	-	243,541
11									
12									
13									
14									
15	Total	2,518,347	\$ 1,664,173	\$ 24,493	\$ 829,681	\$ -	\$ -	\$ -	\$ 2,518,347

**EXHIBIT WP SRW-9**  
**Filed Under**  
**Confidential Cover**

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
ESTIMATED INCENTIVE BY RATE CLASS FOR 2026 PROGRAM YEAR**

Line No.	EE Program	Incentive	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	COMPASS for Small Busine	700,000	-	88,689	611,311	-	-	-	\$ 700,000
2	COMPASS for Schools/Gov	700,000	-	-	700,000	-	-	-	700,000
3	COMPASS for Large Comm	700,000	-	1,978	698,022	-	-	-	700,000
4	Load Management	425,000	-	-	395,870	29,130	-	-	425,000
5	Residential SOP	1,200,000	1,200,000						1,200,000
6	Hard-to-Reach SOP	550,000	550,000						550,000
7	Residential LM	-	-						-
8	REP DR Program	100,000	100,000						100,000
9	Low Income	650,000	\$ 650,000						650,000
10	High Performance homes	550,000	550,000						550,000
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21	Total	\$ 5,575,000	\$ 3,050,000	\$ 90,667	\$ 2,405,203	\$ 29,130	\$ -	\$ -	\$ 5,575,000

**TEXAS-NEW MEXICO POWER COMPANY**  
**ENERGY EFFICIENCY COST RECOVERY FACTOR**  
**ESTIMATED ADMIN EXPENSE BY RATE CLASS FOR 2026 PROGRAM YEAR**

Line No.	EE Program	Admin	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	COMPASS for Small Busine	108,922	-	13,800	95,122	-	-	-	108,922
2	COMPASS for Schools/Gov	60,817	-	-	60,817	-	-	-	60,817
3	COMPASS for Large Comm	109,711	-	310	109,401	-	-	-	109,711
4	Load Management	51,014	-	-	47,517	3,497	-	-	51,014
5	Residential SOP	320,144	320,144	-	-	-	-	-	320,144
6	Hard-to-Reach SOP	110,330	110,330	-	-	-	-	-	110,330
7	Residential LM	-	-	-	-	-	-	-	-
8	REP DR Program	-	-	-	-	-	-	-	-
9	Low Income	156,112	156,112	-	-	-	-	-	156,112
10	High Performance homes	79,678	79,678	-	-	-	-	-	79,678
11		-							
12	Subtotal	996,727	666,264	14,110	312,857	3,497	-	-	996,727
13									
14									
15									
16									
17									
18									
19									
20									
21	Total	\$ 996,727	\$ 666,264	\$ 14,110	\$ 312,857	\$ 3,497	\$ -	\$ -	\$ 996,727

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
ESTIMATED R&D BY RATE CLASS FOR 2026 PROGRAM YEAR**

Line No.	EE Program	R&D	Residential	Secondary Sevice Less than 5 kW	Secondary Sevice Greater than 5 kW	Primary	Transmission	Lighting	Total
1	COMPASS for Small Busine	11,583	-	1,468	10,116	-	-	-	11,583
2	COMPASS for Schools/Gov	6,468	-	-	6,468	-	-	-	6,468
3	COMPASS for Large Comm	11,668	-	33	11,635	-	-	-	11,668
4	Load Management	5,425	-	-	5,053	372	-	-	5,425
5	Residential SOP	22,586	22,586	-	-	-	-	-	22,586
6	Hard-to-Reach SOP	7,784	7,784	-	-	-	-	-	7,784
7	Residential LM	-	-	-	-	-	-	-	-
8	REP DR Program	-	-	-	-	-	-	-	-
9	Low Income	11,013	11,013	-	-	-	-	-	11,013
10	High Performance homes	8,473	8,473	-	-	-	-	-	8,473
11									
12	Subtotal	85,000	49,856	1,501	33,272	372	-	-	85,000
13									
14									
15									
16									
17									
18									
19									
20									
21	Total	\$ 85,000	\$ 49,856	\$ 1,501	\$ 33,272	\$ 372	\$ -	\$ -	\$ 85,000

TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
ESTIMATED EM&V BY RATE CLASS FOR 2026 CALENDAR YEAR

Line No.	EE Program	EM&V	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	COMPASS for Small Business	4,769.31	-	604.26	4,165.04	-	-	-	4,769.31
2	COMPASS for Schools/Gov	8,467.46	-	-	7,887.08	580.38	-	-	8,467.46
3	COMPASS for Large Comm	10,134.35	-	-	10,134.35	-	-	-	10,134.35
4	Winter Load Management	3,066.23	-	8.66	3,057.57	-	-	-	3,066.23
5	Summer Load Management	3,077.70	3,077.70	-	-	-	-	-	3,077.70
6	High-Performance Homes	6,040.17	6,040.17	-	-	-	-	-	6,040.17
7	Residential SOP	8,704.52	8,704.52	-	-	-	-	-	8,704.52
8	Residential Load Manage	3,083.26	3,083.26	-	-	-	-	-	3,083.26
9	Hard-to-Reach SOP	4,780.65	4,780.65	-	-	-	-	-	4,780.65
10	Low Income Weatherizati	5,054.34	5,054.34	-	-	-	-	-	5,054.34
11									
12									
13									
14									
15									
16									
17									
18									
19									
20	Total	\$ 57,178	\$ 30,741	\$ 613	\$ 25,244	\$ 580	\$ -	\$ -	\$ 57,178

TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
INTEREST ON UNDER/(OVER) RECOVERY

Line No.	Description	Interest Rate	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting	Total
1	Bonus Expense 2022		\$ 716,978	\$ 20,902	\$ 361,049	\$ 109,421	\$ -	\$ -	\$ 1,208,349
2	Over-Recovery 2022		\$ (162,167)	\$ (253,012)	\$ (105,691)	\$ 294,190	\$ -	\$ 132	\$ (226,547)
3	Municipal Expenses 2022		\$ 4,597	\$ 144	\$ 2,486	\$ 753	\$ -	\$ -	7,980
4	Revenues Collected in 2024		\$ (3,880,481)	\$ 101,592	\$ (2,324,731)	\$ (1,507,100)	\$ -	\$ (54)	(7,610,774)
5	Incentive Expense 2024		\$ 2,712,776	\$ 81,649	\$ 1,810,374	\$ 20,233	\$ -	\$ -	4,625,032
6	Admin Expense 2024		\$ 556,962	\$ 11,795	\$ 261,532	\$ 2,923	\$ -	\$ -	833,213
7	R&D Expense 2024		\$ 66,624	\$ 2,005	\$ 44,462	\$ 497	\$ -	\$ -	113,588
8	EM&V Expenses 2024		\$ 29,035	\$ 1,227	\$ 26,552	\$ 337	\$ -	\$ -	57,151
9									
10	Total UNDER/(OVER) RECOVERY		\$ 44,325	\$ (33,697)	\$ 76,031	\$ (1,078,746)	\$ -	\$ 79	\$ (992,009)
11	2023 Interest rate	4.90%	2,172	(1,651)	3,726	(52,859)	-	4	\$ (48,608)
12	2024 Interest rate	5.27%	2,450	(1,863)	4,203	(59,636)	-	4	\$ (54,841)
13									
14	Total Interest		4,622	(3,514)	7,929	(112,494)	-	8	(103,449)



**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR FILING  
2026 FORECASTED ENERGY EFFICIENCY COSTS**

Line No.	EE Program	Incentive	Admin	R&D	Total	Based on 2024 actual %			
						Admin	R&D	R&D	
1	COMPASS for Small Business	700,000	108,922	11,583	\$ 820,505	0.11	108,922.11	0.14	11,583.37
2	COMPASS for Schools/Governments	700,000	60,817	6,468	767,284	0.06	60,816.62	0.08	6,467.57
3	COMPASS for Large Commercial	700,000	109,711	11,668	821,379	0.11	109,710.98	0.14	11,667.91
4	Load Management	425,000	51,014	5,425	481,439	0.05	51,013.69	0.06	5,425.07
5	Residential SOP	1,200,000	320,144	22,586	1,542,730	0.32	320,143.97	0.27	22,585.65
6	Hard-to-Reach SOP	550,000	110,330	7,784	668,113	0.11	110,329.72	0.09	7,783.59
7	Residential LM	-	-	-	-	-	-	-	-
8	REP DR Program	100,000	-	-	100,000	-	-	-	-
9	Low Income	650,000	156,112	11,013	817,125	0.16	156,111.97	0.13	11,013.45
10	High Performance homes	550,000	79,678	8,473	638,151	0.08	79,677.94	0.10	8,473.39
11									
12									
13	Total	\$ 5,575,000	\$ 996,727	\$ 85,000	\$ 6,656,727	100%	996,727	100.000%	85,000
14									
15	Allocation of Budget	83.75%	14.973%	1.277%	100.00%				
16									
17									
18	Low Income Percentage				12.275%				

Sum of Sum of KWH	Column Labels					
	1. Residential	2. SLT5	SSGT5	Primary	7. Transmission	8. Lighting
Forcasted 2025 kWH	3,263,294,614	49,852,223	2,317,718,421	3,395,443,956	7,230,854,631	32,559,992
Forcasted 2026 kWH	3,354,525,155	49,754,138	2,370,150,670	3,302,260,663	7,806,447,368	32,123,637
Industrial Opt-out						
	Column Labels					
	1. Residential	2. SLT5	SSGT5	Primary	7. Transmission	8. Lighting
Sum of 2020-KWH		195,113	9,954,263	473,638,466		49,850
Sum of 2021-KWH		127,982	4,028,834	273,297,092		
Sum of 2022-KWH		93,464	4,813,030	438,907,901	852	852
Sum of 2023-KWH		32,317	8,348,412	561,269,579	1,253,320,930	1,150
Sum of 2024-KWH		120,472	7,959,402	613,858,226	1,384,504,948	-
5 Year Average		113,870	7,020,788	472,194,253	879,275,577	12,963
Net	3,354,525,155	49,640,269	2,363,129,881	2,830,066,410	6,927,171,791	32,110,674

**TEXAS-NEW MEXICO POWER COMPANY  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
INCENTIVES PAID BY RATE CLASS FOR YEAR ENDING 2023**

Line No.	EE Program	Total	Residential	Secondary Service Less than 5 kW	Secondary Service Greater than 5 kW	Primary	Transmission	Lighting
1	Commercial Solutions	100%		13%	87%	0.00%		
2	Open for Small Business	100%		0%	100%			
3	SCORE/CitySmart	100%		0%	100%	0%		
4	Load Management	100%			93%	7%		
5	Residential SOP	100%	100%					
6	Hard-to-Reach SOP	100%	100%					
7	REP Pilot	100%	100%					
8	Low Income	100%	100%					
9	High Performance Homes	100%	100%					
10		100%	100%					
11		100%	100%					
12								
	Score	Sum of Costs						
	Secondary Service Less than 5 kW	1794.092704	0.28%					
	SSGT5	633081.6166	99.72%					
	Primary	0	0.00%					
	Grand Total	\$ 634,875.71		634875.7093	-			
	LM	Sum of Costs						
	SSGT	274957	93.15%					
	Primary	20233	6.85%					
	(blank)							
	Grand Total	\$ 295,189.82		295189.8179	-			
	Comm Sol	Sum of Costs						
	SLT5	79,855	12.67%					
	SSGT5	550,421	87.33%					
	Primary	-	0.00%					
	Grand Total	630275.9055		630275.9055	0			
	Open fo Biz	Sum of Costs						
	Secondary Service Less than 5 kW	0	0.00%					
	SSGT5	351914.3015	100.00%					
	(blank)							
	Grand Total	\$ 351,914.30		351914.3015	-			

Sum of ENERGY EFFICIENCY	Column Labels						
	Residential Service	Secondary Service Less than 5 kW	SSGT5	Primary Service	Transmissi on Service	Lighting	Grand Total
Row Labels							
202401	\$ 334,611	\$ (5,796)	\$ 199,462	\$ 44,373	\$ (6)		572,645
202402	\$ 356,529	\$ (6,367)	\$ 218,626	\$ 55,772	\$ -	\$ (6)	624,554
202403	\$ 219,844	\$ (8,975)	\$ 159,769	\$ 100,157		\$ 8	470,803
202404	\$ 213,352	\$ (8,702)	\$ 159,997	\$ 182,715	\$ -	\$ 8	547,369
202405	\$ 272,516	\$ (8,812)	\$ 180,824	\$ 145,838	\$ -	\$ 8	590,374
202406	\$ 375,024	\$ (9,243)	\$ 207,958	\$ 141,154	\$ -	\$ 8	714,900
202407	\$ 435,941	\$ (11,634)	\$ 219,966	\$ 136,886	\$ -	\$ 8	781,166
202408	\$ 425,535	\$ (9,386)	\$ 223,228	\$ 124,082	\$ -	\$ (6)	763,453
202409	\$ 415,167	\$ (9,439)	\$ 221,626	\$ 131,757	\$ -	\$ 8	759,119
202410	\$ 338,396	\$ (6,869)	\$ 200,000	\$ 147,644	\$ -	\$ 8	679,178
202411	\$ 262,852	\$ (8,872)	\$ 181,087	\$ 150,502	\$ -	\$ 8	585,577
202412	\$ 230,715	\$ (7,498)	\$ 152,189	\$ 146,221	\$ -	\$ 8	521,635
Grand Total	\$ 3,880,481	\$ (101,592)	\$ 2,324,731	\$ 1,507,100	\$ -	\$ 54	7,610,774

Consumer Price Index - All Urban Consumers  
Original Data Value

Series Id: CUUR0300SA0,CUUS0300SA0  
Not Seasonally Adjusted  
Area: South urban  
Item: All items  
Base Period: 1982-84=100  
Years: 2002 to 2015

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	Increase over prior year	% increase
2002	170.6	171.0	172.1	173.1	173.2	173.5	173.6	173.8	174.2	174.9	174.9	174.6	173.3		
2003	175.1	176.4	177.5	177.4	176.8	177.2	177.3	177.9	178.3	178.1	177.5	177.5	177.3	4.000	2.31%
2004	178.2	179.1	180.1	180.9	182.0	182.9	182.6	182.6	182.8	183.7	183.7	183.3	181.8	4.500	2.54%
2005	183.6	184.7	185.9	187.3	187.3	187.8	188.5	189.4	192.0	192.5	190.7	190.1	188.3	6.500	3.58%
2006	191.5	191.8	192.8	194.7	195.5	196.3	197.0	197.1	195.8	194.7	194.3	194.8	194.7	6.400	3.40%
2007	195.021	195.950	197.904	199.618	200.804	201.675	201.571	201.041	201.697	202.155	203.437	203.457	200.361	5.661	2.91%
2008	204.510	205.060	206.676	208.085	210.006	212.324	213.304	212.387	212.650	210.108	205.559	203.501	208.681	8.320	4.15%
2009	204.288	205.343	206.001	206.657	207.265	209.343	208.819	209.000	208.912	209.292	209.738	209.476	207.845	-0.836	-0.40%
2010	210.056	210.020	211.216	211.528	211.423	211.232	210.988	211.308	211.775	212.026	211.996	212.488	211.338	3.493	1.68%
2011	213.589	214.735	217.214	218.820	219.820	219.318	219.682	220.471	220.371	219.969	219.961	219.469	218.618	7.280	3.44%
2012	220.497	221.802	223.314	224.275	223.356	223.004	222.667	223.919	225.052	224.504	223.404	223.109	223.242	4.624	2.12%
2013	223.933	225.874	226.628	226.202	226.289	227.148	227.548	227.837	227.876	227.420	226.811	227.082	226.721	3.48	1.56%
2014	227.673	228.664	230.095	231.346	231.762	232.269	232.013	231.611	231.762	231.131	229.845	228.451	230.552	3.83	1.69%
2015	226.855	227.944	229.337	229.957	230.886	232.026	231.719	231.26	230.913	230.86	230.422	229.581	230.147	-0.41	-0.18%
2016	229.469	229.646	230.977	231.975	232.906	233.838	233.292	233.561	234.069	234.337	234.029	234.204	232.692	2.55	1.11%
2017	235.492	236.052	236.154	236.728	236.774	237.346	236.942	237.892	239.649	239.067	238.861	238.512	237.456	4.76	2.05%
2018	239.772	241.123	241.595	242.486	243.279	243.77	243.776	243.605	243.64	244.163	243.484	242.15	242.737	5.28	2.22%
2019	242.547	243.856	245.554	246.847	246.667	246.515	247.25	246.953	246.891	247.423	247.385	247.289	246.265	3.53	1.45%
2020	248.005	248.412	248.136	246.254	245.696	247.223	248.619	249.639	250.193	250.542	250.255	250.693	248.639	2.37	0.96%
2021	252.067	253.386	255.319	257.207	259.343	261.668	263.013	263.728	264.593	267.16	268.36	269.263	261.259	12.62	5.08%
2022	271.634	274.688	278.598	279.879	283.307	287.427	287.608	287.168	287.656	288.836	288.991	288.205	283.666	22.41	8.58%
2023	290.438	292.285	293.358	295.315	295.889	296.789	297.279	298.975	299.657	299.394	298.93	298.754	296.422	12.76	4.50%
	300.421	303.144	304.49	305.104	305.296	305.357	305.819	305.761	306.078	306.889	306.877	307.007	305.187	8.76	2.96%

[http://data.bls.gov/pdq/SurveyOutputServlet?series\\_id=CUUR0300SA0,CUUS0300SA0](http://data.bls.gov/pdq/SurveyOutputServlet?series_id=CUUR0300SA0,CUUS0300SA0)

	2.12%	1.56%	1.69%	-0.18%	1.11%	2.05%	2.22%	1.45%	0.96%	5.08%	8.58%	4.50%	2.96%
percentage char	2014 Cost caps	2015 Cost caps	2016 Cost Caps	2017 Cost Caps	2018 Cost Caps	2019 Cost Caps	2020 Cost Caps	2021 Cost Caps	2022 Cost Caps	2023 Cost Caps	2024 Cost Caps	2025 Cost Caps	2026 Cost Caps
Residential	\$ 0.00123	\$ 0.001244	\$ 0.001266	\$ 0.001263	\$ 0.001277	\$ 0.001303	\$ 0.001332	\$ 0.001351	\$ 0.001364	\$ 0.001433	\$ 0.001556	\$ 0.001626	\$ 0.001674
Non-residential	\$ 0.00077	\$ 0.000778	\$ 0.000791	\$ 0.000790	\$ 0.000799	\$ 0.000815	\$ 0.000833	\$ 0.000845	\$ 0.000853	\$ 0.000896	\$ 0.000973	\$ 0.001017	\$ 0.001047

Utility	Year	Sector	Program	Blended Cost	Secondary Service					Total
					Residential	Less than 5 kW	Weather than 5 kW	Primary	Transmission	
TNMP	2024	Com	Commercial Solutions MTP	8,749		1,108	7,640	-		8,749
TNMP	2024	HTR	Load Management SOP	2,256			2,101	155		2,256
TNMP	2024	Res	Open for Small Business MTP	5,277		-	5,277			5,277
TNMP	2024	LI	SCORE/CitySmart MTP	7,318		21	7,298	-		7,318
TNMP	2024	Com	Hard-to-Reach SOP	5,600	5,600					5,600
TNMP	2024	Res	Low Income Weatherization	4,656	4,656					4,656
TNMP	2024	Com	High-Performance Homes MTP	5,343	5,343					5,343
TNMP	2024	Com	Residential SOP	11,112	11,112					11,112
TNMP	2024	Com	Winter Load Management Pilot	2,265			2,110	155		2,265
TNMP	2023		EMV Reconciliation from TetraTech	-13.31	(7)	(0)	(6)	(0)	-	(13)
TNMP	2024		EMV Reconciliation from TetraTech	4,589.83	2,332	99	2,132	27	-	4,590
			Total	57,151	29,035	1,227	26,552	337	-	57,151

Utility	Year	Sector	Program	Blended Cost	Secondary Service					Total
					Residential	Less than 5 kW	Greater than 5 kW	Primary	Transmission	
TNMP	2025	Com	COMPASS for Small Business MTP	4,769		604	4,165	-		4,769
TNMP	2025	Com	COMPASS for Schools/Government	8,467			7,887	580		8,467
TNMP	2025	Com	COMPASS for Large Commercial	10,134		-	10,134			10,134
TNMP	2025	LM	Winter Load Management	3,066		9	3,058	-		3,066
TNMP	2025	LM	Summer Load Management	3,078	3,078					3,078
TNMP	2025	Res	High-Performance Homes MTP	6,040	6,040					6,040
TNMP	2025	Res	Residential SOP	8,705	8,705					8,705
TNMP	2025	LM	Residential Load Management Pil	3,083	3,083					3,083
TNMP	2025	HTR	Hard-to-Reach SOP	4,781	4,781					4,781
TNMP	2025	HTR	Low Income Weatherization	5,054	5,054					5,054
			Total	57,178	30,741	613	25,244	580	-	57,178

**TEXAS-NEW MEXICO POWER COMPANY  
TARIFF FOR RETAIL DELIVERY SERVICE**

**6.1. Rate Schedules****Applicable:** Entire Certified Service Area**Effective Date:** March 1, 2026**Page No.:** 134**Revision:** 18**6.1.1.6.3 RIDER EECRF– ENERGY EFFICIENCY COST RECOVERY FACTOR****APPLICATION**

Applicable, pursuant to PURA § 39.905(b)(4) and Substantive Rule § 25.181(f), to all customer classes that receive services under the Company's energy efficiency programs.

**METHOD OF CALCULATION**

An Energy Efficiency Cost Recovery Factor (EECRF) shall be calculated annually and shall equal by rate class the sum of: forecasted energy efficiency costs, any adjustment for past over-recovery or under-recovery of EECRF costs, an energy efficiency performance bonus, any previous year's EECRF proceeding rate case expenses, and any allocated Evaluation, Measurement & Verification (EM&V) costs; divided by the forecasted billing units for each class.

**Energy Efficiency Cost Recovery Factor (EECRF)**

(Effective Date)	Residential Service (Per kWh)	Secondary Service < 5kW (Per kWh)	Secondary Service > 5kW (Per kWh)	Primary (Per kWh)	Lighting (Per kWh)
March 1, 2026	\$0.001643	\$0.001897	\$0.001562	\$(0.000409)	\$0.000003
March 1, 2025	\$0.001273	\$(0.001871)	\$0.000961	\$0.000224	\$(0.000007)
March 1, 2024	\$0.001184	\$(0.002261)	\$0.000944	\$0.000622	\$0.000004
March 1, 2023	\$0.001394	\$(0.001459)	\$0.001216	\$0.000331	\$(0.000003)
March 1, 2022	\$0.001355	\$0.0145080	\$0.000935	\$0.000145	\$0.000032
March 1, 2021	\$0.001224	\$0.0031140	\$0.000832	\$0.000080	\$0.000015
March 1, 2020	\$0.001172	\$0.0016760	\$0.000806	\$0.000160	\$0.000041
March 1, 2019	\$0.001221	\$(0.004307)	\$0.000852	\$0.000012	\$(0.000137)
March 1, 2018	\$0.001268	\$(0.003898)	\$0.001063	\$(0.00003)	\$(0.000165)
March 1, 2017	\$0.001232	\$(0.009022)	\$0.001271	\$(0.00005)	\$(0.000400)
March 1, 2016	\$0.001281	\$(0.007410)	\$0.001226	\$0.000015	\$0.000203
March 1, 2015	\$0.001249	\$0.003534	\$0.000847	\$0.000252	\$0.000420
March 1, 2014	\$0.001259	\$0.008816	\$0.000619	\$0.000113	\$0.000330

**NOTICE**

This rate schedule is subject to the Company's Tariff and Applicable Legal Authorities.



# **TEXAS-NEW MEXICO POWER COMPANY TARIFF FOR RETAIL DELIVERY SERVICE**

## **6.1. Rate Schedules**

**Applicable:** Entire Certified Service Area

**Effective Date:** March 1, 2026

**Page No.:** 134

**Revision:** 18

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### **6.1.1.6.3 RIDER EECRF– ENERGY EFFICIENCY COST RECOVERY FACTOR**

#### **APPLICATION**

Applicable, pursuant to PURA § 39.905(b)(4) and Substantive Rule § 25.181(f), to all customer classes that receive services under the Company's energy efficiency programs.

#### **METHOD OF CALCULATION**

An Energy Efficiency Cost Recovery Factor (EECRF) shall be calculated annually and shall equal by rate class the sum of: forecasted energy efficiency costs, any adjustment for past over-recovery or under-recovery of EECRF costs, an energy efficiency performance bonus, any previous year's EECRF proceeding rate case expenses, and any allocated Evaluation, Measurement & Verification (EM&V) costs; divided by the forecasted billing units for each class.

#### **Energy Efficiency Cost Recovery Factor (EECRF)**

(Effective Date)	Residential Service (Per kWh)	Secondary Service < 5kW (Per kWh)	Secondary Service > 5kW (Per kWh)	Primary (Per kWh)	Lighting (Per kWh)
March 1, 2026	\$0.001643	\$0.001897	\$0.001562	\$(0.000409)	\$0.000003
March 1, 2025	\$0.001273	\$(0.001871)	\$0.000961	\$0.000224	\$(0.000007)
March 1, 2024	\$0.001184	\$(0.002261)	\$0.000944	\$0.000622	\$0.000004
March 1, 2023	\$0.001394	\$(0.001459)	\$0.001216	\$0.000331	\$(0.000003)
March 1, 2022	\$0.001355	\$0.0145080	\$0.000935	\$0.000145	\$0.000032
March 1, 2021	\$0.001224	\$0.0031140	\$0.000832	\$0.000080	\$0.000015
March 1, 2020	\$0.001172	\$0.0016760	\$0.000806	\$0.000160	\$0.000041
March 1, 2019	\$0.001221	\$(0.004307)	\$0.000852	\$0.000012	\$(0.000137)
March 1, 2018	\$0.001268	\$(0.003898)	\$0.001063	\$(0.00003)	\$(0.000165)
March 1, 2017	\$0.001232	\$(0.009022)	\$0.001271	\$(0.00005)	\$(0.000400)
March 1, 2016	\$0.001281	\$(0.007410)	\$0.001226	\$0.000015	\$0.000203
March 1, 2015	\$0.001249	\$0.003534	\$0.000847	\$0.000252	\$0.000420
March 1, 2014	\$0.001259	\$0.008816	\$0.000619	\$0.000113	\$0.000330

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#### **NOTICE**

This rate schedule is subject to the Company's Tariff and Applicable Legal Authorities.

**P.U.C. DOCKET NO. 58140**

**BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS**

**APPLICATION OF TEXAS-NEW MEXICO POWER COMPANY  
FOR APPROVAL TO ADJUST THE  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
AND RELATED RELIEF**

**PREPARED DIRECT TESTIMONY AND EXHIBITS**

**OF  
MICHAEL S. SEAMSTER**

**ON BEHALF OF  
TEXAS-NEW MEXICO POWER COMPANY**

**MAY 30, 2025**

**TABLE OF CONTENTS**

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**EXHIBITS**

**EXHIBIT MSS-1**

**LEGAL EXPERIENCE AND TESTIMONY**

**EXHIBIT MSS-2**

**TNMP LEGAL EXPENSE STATEMENT AND INVOICES**

**I. INTRODUCTION AND PURPOSE****Q. PLEASE STATE YOUR NAME, OCCUPATION, AND BUSINESS ADDRESS.**

A. My name is Michael Scott Seamster. I am Associate General Counsel for Texas-New Mexico Power Company (TNMP) and its affiliates, employed by PNMR Services Company (PNMR Services). My office address is 577 N. Garden Ridge Blvd., Lewisville, Texas 75067.

**Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND PROFESSIONAL EXPERIENCE.**

A. Exhibit MSS-1 describes my background and experience, including proceedings for which I have provided testimony.

**Q. HAVE YOU PREPARED ANY EXHIBITS?**

A. Yes. I am sponsoring Exhibit Nos. MSS-1 and MSS-2 which are attached to my testimony and incorporated by reference. The exhibits were prepared by me, or under my supervision.

**Q. DESCRIBE THE SCOPE OF YOUR WORK FOR TNMP.**

A. I serve as the primary in-house attorney for TNMP. I manage, either directly or indirectly, the litigation, administrative proceedings, and routine contractual matters encountered or required by TNMP to preserve its interests. However, like other members of the PNMR Services Law Department, I also provide legal services in support of other affiliates of TNMP.

**Q. ARE YOU FAMILIAR WITH THE PROCEDURES AND PRACTICES CONCERNING THE ENGAGEMENT OF OUTSIDE COUNSEL FOR TNMP?**

A. Yes. In the usual course of business, TNMP encounters legal issues for which outside counsel are retained to provide services. Outside counsel are retained to supplement in-house legal services when internal resources are unable, either due to lack of expertise or available time, to perform such services. Further, the internal Law Department is not staffed to litigate every case. Consequently, outside counsel are often retained to prosecute or respond to litigated cases and other contested matters.

**Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

1 A. I support the legal expenses incurred by TNMP for its Energy Efficiency Program in its  
2 most recent Energy Efficiency Cost Recovery Factor (EECRF) proceeding in *Application*  
3 *of Texas-New Mexico Power Company for Approval to Adjust Its Energy Efficiency Cost*  
4 *Recovery Factor and Related Relief*, Docket No. 56657,<sup>1</sup> as reasonable and necessary  
5 legal expenses.

6 **II. ENERGY EFFICIENCY LEGAL EXPENSES**

7 **Q. ARE LEGAL EXPENSES FOR A UTILITY'S ENERGY EFFICIENCY PROGRAM AND**  
8 **EECRF PROCEEDING RECOVERABLE?**

9 A. Yes. 16 Tex. Admin. Code § 25.182(d)(3) (TAC) specifically permits recovery of the  
10 expenses related to a utility's last EECRF proceeding. For TNMP, its previous EECRF  
11 proceeding occurred last year in Docket No. 56657.

12 **Q. HAVE LEGAL EXPENSES FOR EECRF PROCEEDINGS BEEN APPROVED IN**  
13 **PREVIOUS CASES?**

14 A. Yes. The Commission approved legal expenses in TNMP's most recent EECRF  
15 proceedings.<sup>2</sup>

16 **Q. DOES 16 TAC § 25.181 DIFFERENTIATE BETWEEN UTILITY AND MUNICIPAL**  
17 **EXPENSES?**

18 A. Yes. While 16 TAC § 25.182(d)(3) permits recovery of both utility and municipality  
19 expenses from the previous year's EECRF proceeding, 16 TAC § 25.181(g)(1) treats  
20 recovery of the expenses differently. The utility's expenses must be included with the  
21 utility's other energy efficiency administrative expenses per 16 TAC § 25.181(g)(1)(F).  
22 Conversely, approved municipal expenses do not impact the administrative expense cost  
23 caps and are not included in the utility's administrative costs per 16 TAC § 25.181(g)(1)(G).

24 **Q. HAS THE COMMISSION PROVIDED ANY GUIDANCE FOR THE APPROVAL OF RATE**  
25 **CASE EXPENSES?**

26 A. Yes. 16 TAC § 25.245 was adopted by the Commission in August of 2014. That rule sets  
27 out a variety of factors that can be considered in determining the reasonableness of rate  
28 case expenses presented for recovery. Per 16 TAC § 25.245(b), the minimum evidence  
29 supporting recovery includes:

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<sup>1</sup> *Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor*,  
Docket No. 56657; Order, October 24, 2024.

<sup>2</sup> *Id.*

- (1) the nature, extent, and difficulty of the work performed;
- (2) the time and labor required and expended by the attorney;
- (3) the fees or other consideration paid to the attorney for the services rendered;
- (4) the expenses incurred for lodging, meals and beverages, transportation, or other services or materials;
- (5) the nature and scope of the rate case, including:
  - (a) the size of the utility and number and type of consumers served;
  - (b) the amount of money or value of property or interest at stake;
  - (c) the novelty or complexity of the issues addressed;
  - (d) the amount and complexity of discovery;
  - (e) the occurrence and length of a hearing; and
- (6) the specific issue or issues in the rate case and the amount of rate-case expenses reasonably associated with each issue.

The weight and relevance of the foregoing factors will vary from case-to-case. The Commission therefore provided additional considerations to apply to the expense evidence presented in 16 TAC § 25.245(c). Thus, if the evidence required by subsection (b) is presented, determining reasonableness also requires consideration of whether:

- (1) the fees paid to, tasks performed by, or time spent on a task by an attorney or other professional were extreme or excessive;
- (2) the expenses incurred for lodging, meals and beverages, transportation, or other services or materials were extreme or excessive;
- (3) there was duplication of services or testimony;
- (4) the utility's or municipality's proposal on an issue in the rate case had no reasonable basis in law, policy, or fact and was not warranted by any reasonable argument for the extension, modification, or reversal of commission precedent;
- (5) rate-case expenses as a whole were disproportionate, excessive, or unwarranted in relation to the nature and scope of the rate case addressed by the evidence pursuant to subsection (b)(5) of this section.

My testimony below addresses all these factors.

**Q. ARE YOU FAMILIAR WITH THE NATURE OF THE PROCEEDINGS IN DOCKET NO. 56657?**

A. Yes. As indicated above, I oversee the legal matters associated with protecting or defending TNMP's interests including the administrative proceedings at the Commission. I also participated in Docket No. 56657 as a witness. I am familiar with the issues and effort associated with resolution of that proceeding. Specifically, in Docket No. 56657 TNMP requested approval of an energy efficiency cost recovery for the 2025 program year

(inclusive of prior case expenses, approved performance bonus, and other appropriate costs).<sup>3</sup> That request necessarily included determination and approval of the savings achieved in 2023, TNMP's performance bonus calculation, and the 2025 savings goal. The energy efficiency program for 2025 serves approximately 270,000 retail consumers (both Residential and Non-Residential) within TNMP's non-contiguous service territory. Ultimately, the case was resolved prior to any contested hearing by approving \$6,951,165 in cost recovery as requested by TNMP in that docket.<sup>4</sup>

**Q. TO WHAT ISSUES DID YOU APPORTION THE TNMP RATE CASE EXPENSES, IN DOCKET NO. 56657?**

A. Based on my review of the invoices in Exhibit MSS-2, I apportion the services among four issue categories: "Application Preparation"; "Rate Case Expense Matters"; "Discovery"; "Procedural Matters" and "Proceeding expenses".

**Q. WERE THE ISSUES ADDRESSED IN DOCKET NO. 56657 COMPLEX OR UNIQUE?**

A. The issues addressed were not unique to EECRF proceedings in general. Given the statutory requirements and technical nature of the formulas required to establish the various aspects of such cases, I consider such substantive issues as being moderately complex.

**Q. WHAT EECRF PROCEEDING EXPENSES WERE INCURRED RELATED TO DOCKET NO. 56657?**

A. The total proceeding expenses related to TNMP's EECRF proceeding in Docket No. 56657 constitute \$50,693.40 in outside legal service charges. The invoices supporting TNMP's legal fees and any expenses are attached as Exhibit MSS-2.<sup>5</sup> TNMP seeks to recover only the reasonable expenses it actually incurred in connection with its most recent EECRF proceeding. Additionally, Cities Served by TNMP (Cities) has indicated that they did not incur any expenses related to Docket No. 56657.

**Q. DID THE SIZE OF TNMP SERVICE TERRITORY OR THE NUMBER OF RETAIL CONSUMERS SERVED IMPACT THE AMOUNT OF RATE CASE EXPENSES INCURRED?**

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<sup>3</sup> *Application of Texas-New Mexico Power Company to Adjust Its Energy Efficiency Cost Recovery Factor*, Docket No. 56657, Application (May 31, 2024).

<sup>4</sup> *Id.*, Final Order (October 24, 2024).

<sup>5</sup> Exhibit MSS-2 contains invoices where certain bank account information and taxpayer information have been redacted.

1 A. No. While there may be cases where the utility's size might affect incurred expenses, I did  
2 not find any such correlation impacted the amount of case expenses incurred by TNMP in  
3 Docket No. 56657. The \$50,693.40 incurred in support of TNMP's \$6,951,165 energy  
4 efficiency cost recovery reflects the fact that, irrespective of the utility's size, there is a  
5 fundamental amount of expense that will be necessary to reasonably present any such  
6 case. As detailed further in my testimony, the expenses incurred by TNMP represent the  
7 reasonable expenses appropriately incurred in presenting its EECRF request, complying  
8 with statutory requirements, and discharging TNMP's burden of proof in Docket  
9 No. 56657.

10 **Q. HOW DID THE COMPANY STAFF THE DOCKET NO. 56657 EECRF CASE IN**  
11 **REGARD TO LEGAL SERVICES?**

12 A. TNMP relied upon outside legal counsel from Vedder Price P.C. (Vedder Price) as  
13 regulatory counsel to assist in-house counsel's prosecution of EECRF proceeding in  
14 Docket No. 56657. In particular, Ms. Stephanie Collett Sparks was the attorney providing  
15 services in the case. Ms. Sparks has ably represented TNMP in Commission proceedings  
16 in the past, including in previous energy efficiency proceedings, base rate proceedings,  
17 the advanced metering proceeding, and other matters. Ms. Sparks was supported by  
18 paralegals and other attorneys who performed tasks consistent with their experience and  
19 job function.

20 **Q. PLEASE DESCRIBE THE INCURRED EXPENSES FOR OUTSIDE LEGAL COUNSEL.**

21 A. Fees have been negotiated with Vedder Price, which provides for payment of the  
22 customary fees for experienced regulatory attorneys. Being an attorney duly licensed in  
23 the State of Texas, and in the course of my duties for TNMP, I am familiar with rates  
24 typically charged by attorneys for contested administrative proceedings like the EECRF  
25 proceeding in Docket No. 56657. I have reviewed the following invoices submitted to  
26 TNMP for legal services performed and expenses incurred as part of the preparation and  
27 prosecution of TNMP's 2024 EECRF proceeding: Invoice Nos. 840965, 844011, 846704,  
28 849560, 10003645, and 10009999. None of the charges submitted in those invoices have  
29 been recovered through reimbursement for other expenses or in other proceedings. No  
30 duplicate entries were included. These combined invoices support \$50,693.40 in legal  
31 fees and expenses.



**Q. ARE THE RATES CHARGED BY VEDDER PRICE FOR LEGAL SERVICES WITHIN THE RANGE OF REASONABLE RATES CHARGED FOR SIMILAR SERVICES?**

A. Yes. The rates per hour reflected on the invoices attached as Exhibit MSS-2 are within the range of hourly rates for similar services performed by attorneys and law firms of similar experience.

**Q. WHAT DID YOUR REVIEW REVEAL ABOUT THE GENERAL CHARACTER OF THE BILLINGS AND EXPENSES CONTAINED IN THE VEDDER PRICE INVOICES?**

A. The billings were sufficiently detailed to permit me to evaluate the sufficiency of the charges. Further, Vedder Price did not include any charges which result from a single person billing excessive hours in one day. No charges for alcohol, first class or charter airfare, expenses associated with sporting events, or meal expenses were included in the Vedder Price charges.

**Q. PLEASE DESCRIBE THE NATURE OF THE WORK PERFORMED BY VEDDER PRICE.**

A. Based on the invoices Vedder Price expended 92.6 hours in presenting and defending TNMP's interests in Docket No. 56657. Specifically, the fees and expenses incurred were necessary to advise and assist TNMP in connection with review of the Energy Efficiency Plan and Report, drafting the EECRF application package, identifying issues, developing strategy, preparing pleadings, consulting with company personnel, reviewing and consultation on supporting testimony, drafting and responding to discovery, drafting and responding to various motions and/or orders, participation in conferences with intervenors and staff, and performing various other tasks. The specific tasks performed, and expenses incurred are contained in Exhibit MSS-2.

**Q. WHAT AMOUNT OF THE RATE CASE EXPENSES ARE REASONABLY APPORTIONED TO THE ISSUES YOU IDENTIFIED FOR DOCKET NO. 56657?**

A. The following table sets forth the amount of expenses allocated to the identified substantive issues in Docket No. 56657.

**TABLE 1.**

ISSUE	HOURS	AMOUNT
Application	52.5	\$28,533.23
Discovery	14.6	\$8,001.37
Rate Case Expenses	.8	\$461.71
Procedural Matters	24.7	\$13,677.63

Proceeding Expenses	N/A	\$19.46
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**Q. HOW DID YOU DETERMINE WHAT COSTS TO ASSIGN TO THE ISSUES IDENTIFIED IN THE TABLE ABOVE?**

A. I examined the entries in the invoices attached for the issues addressed, and the amount of time devoted to those issues. I assigned costs for work related to the specific issues identified in Table No. 1 based on the description of services. I also relied upon the pleadings on file in Docket No. 56657 and took note of the issues addressed in such filings.

**Q. WAS THE AMOUNT OF DISCOVERY IN DOCKET NO. 56657 EXCESSIVE OR COMPLEX?**

A. No.

**Q. DID YOUR REVIEW OF THE VEDDER PRICE INVOICES REVEAL ANY CIRCUMSTANCE WHERE EITHER THE FEES PAID, TASKS PERFORMED, OR TIME SPENT ON A TASK WERE EXTREME OR EXCESSIVE?**

A. No.

**Q. WAS THE TOTAL AMOUNT OF TNMP'S PROCEEDING EXPENSES FOR DOCKET NO. 56657 EXCESSIVE FOR AN EECRF PROCEEDING?**

A. No. The \$50,693.40 in total legal fees and expenses incurred by TNMP in Docket No. 56657 were within the range of fees typically expended for such cases. In the last proceedings, TNMP's approved case expense awards were \$85,479 (Docket No. 41496), \$129,168 (Docket No. 42566), \$55,362 (Docket No. 44778), \$44,920 (Docket No. 46002), \$45,435 (Docket No. 47217), \$39,007 (Docket 48404), \$54,303 (Docket No. 49586), \$53,104 (Docket No. 50894), \$53,102 (Docket No. 52153), \$33,435 (Docket No. 53637), \$56,018 (Docket No. 55034), and \$53,363 (Docket No. 56657). The \$50,693.40 incurred by TNMP and requested for recovery in this proceeding is not excessive.

**Q. ARE THE OUTSIDE LEGAL FEES AND EXPENSES CHARGED TO TNMP REASONABLE AND NECESSARY?**

A. Yes. The attorneys' hourly rates upon which the billings are based are similar to the hourly rates charged for comparable services during the same time frame and are reasonable and consistent with prevailing standards. The hours spent to perform the tasks assigned to TNMP's outside counsel were reasonable and necessary to complete those tasks in a professional manner on a timely basis. Finally, after considering the factors in 16 TAC

§ 25.245(b) and (c), the invoices attached as Exhibit MSS-2, the pleadings on file for Docket No. 56657, and the issues addressed in that proceeding, the \$50,693.40 in rate case expenses incurred by TNMP are reasonable and necessary expenses.

**Q. DID TNMP RECEIVE ANY INVOICES REGARDING INTERVENORS' EXPENSES IN DOCKET NO. 56657?**

A. No, TNMP did not receive invoices from intervenor Cities for their legal and regulatory consultants.

**Q. HAVE THE CITIES' EXPENSES FOR DOCKET NO. 56657 BEEN APPROVED?**

A. No charges for Cities' expenses, if any, have been presented or approved by the Commission. TNMP anticipates that Cities will intervene in this proceeding as it is their burden to file testimony addressing their expenses and any reimbursement as no fees or expenses were presented to TNMP.

**III. CONCLUSION**

**Q. WHAT IS YOUR RECOMMENDATION REGARDING THE RECOVERY OF LEGAL EXPENSES RELATED TO DOCKET NO. 56657?**

A. I recommend that the \$50,693.40 in-case proceeding expenses incurred by TNMP to resolve Docket No. 56657, be approved and authorized for recovery consistent with 16 TAC § 25.181(g)(1)(F)-(G) and 16 TAC § 25.182(d)(3). Further, to the extent any expenses attributable to Cities' participation in Docket No. 56657 are determined to be appropriate, such approved expenses should also be recovered as part of this proceeding.

**Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

A. Yes.

**AFFIDAVIT**

**STATE OF TEXAS**

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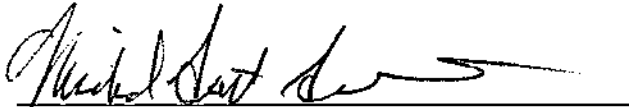
**COUNTY OF DENTON**

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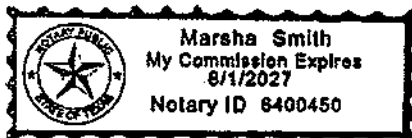
BEFORE ME, the undersigned authority, on this day personally appeared Michael S. Seamster who, upon proving his identity to me and by me being duly sworn, deposes and states the following:


“My name is Michael S. Seamster. I am of legal age, a resident of the State of Texas, and have never been convicted of a felony. I certify that the foregoing testimony and exhibit(s), offered by me on behalf of Texas-New Mexico Power Company, are true and correct and based upon my personal knowledge and experience.”

  
Witness

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SWORN TO AND SUBSCRIBED before me, Notary Public, on this 26<sup>th</sup> day of May, 2025, to certify which witness my hand and seal of office.



  
NOTARY PUBLIC in and for the  
State of Texas

Printed Name: Marsha Smith

My Commission expires: 8/1/2027

**Michael Scott Seamster**  
 TNMP Lewisville Regional Office  
 577 N. Garden Ridge  
 Lewisville, TX 75067  
 (214) 222-4143  
scott.seamster@txnmenergy.com

Juris Doctorate, Baylor School of Law, 1992

Admitted to practice in Texas, 1992

### **EXPERIENCE**

**PNMR Services Company, Inc. 2016 to present**  
**Associate General Counsel (TX Operations) - Lewisville, TX**

Serves as Associate General Counsel providing legal support services to PNM Resources, Inc. (PNMR) affiliates for the following areas: regulatory, litigation, bankruptcy, and utility business transactions. As Texas-New Mexico Power Company's (TNMP) in-house counsel, primarily represents TNMP before the Public Utility Commission of Texas, and on matters subject to state and federal jurisdictions in Texas. However, also supports Public Service New Mexico on similar matters. For the Legal Team in Texas, I lead the paralegal and administrative assistant supporting PNMR's interests in Texas.

**PNMR Services Company, Inc. 2006 to 2016**  
**Corporate Counsel for Regulatory Policy and Litigation Management - Lewisville, TX**

Served as Corporate Counsel providing legal support services to PNMR affiliates for the following areas: regulatory, litigation, bankruptcy, and utility business transactions.

**Texas-New Mexico Power Company 2005 to 2006**  
**Corporate Counsel for Regulatory Policy and Litigation Management - Fort Worth, TX**

Served as Corporate Counsel for TNMP focused primarily on regulatory matters and litigation in Texas. Supported the final integration process as PNM Resources, Inc. completed its acquisition of TNMP and its affiliates.

**Wagstaff, Alvis, Stubbeman, Seamster, & Longacre LLP 1993 to 2005**  
**Attorney - Abilene, TX**

Joined the Wagstaff Law Firm in September 1993 after serving as a Briefing Attorney for the Texas Eleventh Court of Appeals in Eastland, Texas. As a member of a broad, general practice law firm, provided appellate, litigation, and regulatory support to various individuals and businesses (including public utilities and municipal corporations) in both state and federal jurisdictions. Additionally, significant portions of the practice also included significant construction contract work, business governance consultation, and bankruptcy creditor guidance and representation.

Supported the judicial administration of Chief Justice Austin McCloud, Justice Bob Dickinson, and Justice Bud Arnot. Responsible for research and drafting of position statements, memoranda, and draft opinions for Justice Arnot on substantive and procedural legal issues for both criminal and civil cases presented to the Court.

**FILED TESTIMONY IN THE FOLLOWING REGULATORY MATTERS:**

*Application of Texas-New Mexico Power Company for Approval of an Energy Efficiency Cost Recovery Factor*, Docket No. 41496, Nov. 4, 2013.

*Compliance Tariff of Texas-New Mexico Power Company Related to Non-Standard Metering Service Pursuant to PUC Subst. R. § 25.133*, Docket No. 41901, Jun. 20, 2014.

*Application of Texas-New Mexico Power Company for Approval of an Energy Efficiency Cost Recovery Factor*, Docket No. 42566, Sept. 11, 2014.

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor*, Docket No. 44778, Sept. 11, 2015.

*Application of Texas-New Mexico Power Company to Reconcile Advanced Metering System Costs*, Docket No. 45213, Mar. 25, 2016.

*Application of Texas-New Mexico Power Company for Approval to Adjust its Energy Efficiency Cost Recovery Factor*, Docket No. 46002, Sept. 23, 2016.

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor*, Docket No. 47217, Oct. 11, 2017.

*Application of Texas-New Mexico Power Company for Authority to Adjust Rates*, Docket No. 48401, Dec. 20, 2018.

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor*, Docket No. 48404, Oct. 12, 2018.

*Review of Rate Case Expenses Incurred by Texas New Mexico Power Company and Municipalities in Docket Nos. 48401, 35038, and 41901*, Docket No. 48591, Mar. 18, 2019.

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor*, Docket No. 49586, May 31, 2019.

*Application of Texas-New Mexico Power Company for Approval of a Distribution Cost Recovery Factor*, Docket No. 50731, Apr. 6, 2020.

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor*, Docket No. 50894, May 29, 2020.

*Application of Texas-New Mexico Power Company for Approval of a Distribution Cost Recovery Factor, Docket No. 51959, Apr. 5, 2021.*

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor, Docket No. 52153, May 27, 2021.*

*Application of Texas-New Mexico Power Company for Approval of a Distribution Cost Recovery Factor, Docket No. 53436, Apr. 5, 2022.*

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor, Docket No. 53637, May 23, 2022.*

*Application of Texas-New Mexico Power Company for Approval of a Distribution Cost Recovery Factor, Docket No. 54807, Apr. 5, 2023.*

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor, Docket No. 55034, May 23, 2023.*

*Application of Texas-New Mexico Power Company for Approval of a Distribution Cost Recovery Factor, Docket No. 56428, Apr. 1, 2024.*

*Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor, Docket No. 56657, May 31, 2024.*

*Application of Texas-New Mexico Power Company for Approval of a Distribution Cost Recovery Factor, Docket No. 56887, Jul 30, 2024.*

*Application of Texas-New Mexico Power Company for Approval of a Distribution Cost Recovery Factor, Docket No. 57816, Mar. 14, 2025.*

Invoice No.	Date	Fees
<b>840965</b>	4/10/24	\$7,164.42
<b>844011</b>	5/10/24	\$1,030.75
<b>846704</b>	6/10/24	\$18,574.40
<b>849560</b>	7/15/24	\$5,233.53
<b>10003645</b>	8/9/24	\$17,838.63
<b>10009999</b>	10/9/24	\$851.67
<b>Totals</b>		<b>\$50,693.40</b>



April 10, 2024

Invoice No. 840965  
Matter No. 055767.00.0023

PNM RESOURCES INC.  
577 N Garden Ridge Blvd  
Lewisville, TX 75067

RE: TNMP EECRF 2024

Summary of Bill for Period Through April 10, 2024

Total Fees for Services Rendered	\$7,386.00
Adjustment	(\$221.58)
Total Adjusted Fees	\$7,164.42
Total Costs	\$0.00
Total Due This Bill	\$7,164.42

PLEASE REMIT PAYMENT PER BELOW AND REFERENCE INVOICE NUMBER

<b>PAYMENT BY CHECK:</b> VEDDER PRICE PC 8677 Solution Center Chicago, IL 60677-8006	<b>PAYMENT BY WIRE OR ACH TRANSFER:</b> VEDDER PRICE PC CIBC Bank USA 120 S. LaSalle Street, Chicago, IL 60603 ABA No. [REDACTED]; SWIFT No.: [REDACTED] Account No. [REDACTED] Wire Remit Advice: [REDACTED]
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FEIN [REDACTED]

TERMS: PAYABLE ON RECEIPT

TXNM Energy, Inc.  
 TNMP EECRF 2024

Legal Services for the Period Ending April 10, 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
03/12/24	Communications with client regarding invoices for EECRF and Cities' invoices.	Burleson, N.E.	.10	56.50
03/13/24	Email communications with Cities and TNMP regarding Cities' invoices from Docket 54807.	Burleson, N.E.	.10	56.50
03/15/24	Review rate case expense invoices.	Sparks, S.C.	.60	363.00
03/21/24	Analyze draft EEPR.	Sparks, S.C.	2.80	1,694.00
03/22/24	Analyze updated tables and exhibits in draft EEPR.	Sparks, S.C.	1.30	786.50
03/22/24	Prepare comments and revisions to draft EEPR.	Sparks, S.C.	1.10	665.50
03/26/24	Analyze EECRF schedules.	Sparks, S.C.	1.20	726.00
03/26/24	Prepare comments to updated draft EEPR.	Sparks, S.C.	1.40	847.00
03/26/24	Review EEPR, review EEPR schedules and determine what needs to be corrected for this year's filing.	Burleson, N.E.	2.70	1,525.50
03/28/24	Revise updated draft EEPR.	Sparks, S.C.	1.10	665.50
Total Fees for Services Rendered				\$7,386.00
Fee Adjustment				(\$221.58)
Total Adjusted Fees				<hr/> \$7,164.42
<b>TOTAL DUE THIS BILL</b>				<b>\$7,164.42</b>

May 10, 2024

Invoice No. 844011  
Matter No. 055767.00.0023

PNM RESOURCES INC.  
577 N Garden Ridge Blvd  
Lewisville, TX 75067

RE: TNMP EECRF 2024

Summary of Bill for Period Through May 10, 2024

Total Fees for Services Rendered	\$1,085.00
Adjustment	(\$54.25)
Total Adjusted Fees	\$1,030.75
Total Costs	\$0.00
Total Due This Bill	\$1,030.75

PLEASE REMIT PAYMENT PER BELOW AND REFERENCE INVOICE NUMBER

<b>PAYMENT BY CHECK:</b> VEDDER PRICE PC 8677 Solution Center Chicago, IL 60677-8006	<b>PAYMENT BY WIRE OR ACH TRANSFER:</b> VEDDER PRICE PC CIBC Bank USA 120 S. LaSalle Street, Chicago, IL 60603 ABA No. [REDACTED]; SWIFT No.: [REDACTED] Account No. [REDACTED] Wire Remit Advice: [REDACTED]
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FEIN [REDACTED]

TERMS: PAYABLE ON RECEIPT

TXNM Energy, Inc.  
TNMP EECRF 2024

Legal Services for the Period Ending May 10, 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
04/05/24	Communications with client regarding 2025 EECRF Status Meeting.	Sparks, S.C.	.40	242.00
04/12/24	Call with client to discuss EECRF status update.	Burleson, N.E.	.10	56.50
04/26/24	Analyze EECRF project plan and related correspondence from client.	Sparks, S.C.	.40	242.00
04/29/24	Analyze issues related to Energy Efficiency comments.	Sparks, S.C.	.90	544.50
Total Fees for Services Rendered				\$1,085.00
Fee Adjustment				(\$54.25)
Total Adjusted Fees				<hr/> \$1,030.75
<b>TOTAL DUE THIS BILL</b>				<b>\$1,030.75</b>

June 10, 2024

Invoice No. 846704  
Matter No. 055767.00.0023

PNM RESOURCES INC.  
577 N Garden Ridge Blvd  
Lewisville, TX 75067

RE: TNMP EECRF 2024

Summary of Bill for Period Through June 10, 2024

Total Fees for Services Rendered	\$19,552.00
Adjustment	(\$977.60)
Total Adjusted Fees	\$18,574.40
Total Costs	\$0.00
Total Due This Bill	\$18,574.40

PLEASE REMIT PAYMENT PER BELOW AND REFERENCE INVOICE NUMBER

<b>PAYMENT BY CHECK:</b> VEDDER PRICE PC 8677 Solution Center Chicago, IL 60677-8006	<b>PAYMENT BY WIRE OR ACH TRANSFER:</b> VEDDER PRICE PC CIBC Bank USA 120 S. LaSalle Street, Chicago, IL 60603 ABA No. [REDACTED]; SWIFT No. [REDACTED] Account No. [REDACTED] Wire Remit Advice: [REDACTED]
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FEIN [REDACTED]

TERMS: PAYABLE ON RECEIPT

TXNM Energy, Inc.  
 TNMP EECRF 2024

Legal Services for the Period Ending June 10, 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
05/03/24	Telephone conference with client regarding EECRF Application.	Sparks, S.C.	.30	181.50
05/04/24	Analyze information needed for Application.	Sparks, S.C.	1.10	665.50
05/07/24	Prepare TNMP Response to Sierra Club's Comments to EEPR.	Sparks, S.C.	1.30	786.50
05/07/24	Analyze Sierra Club's Comments to EEPR.	Sparks, S.C.	.90	544.50
05/08/24	Correspondence with client regarding TNMP Response to Sierra Club's Comments to EEPR.	Sparks, S.C.	.20	121.00
05/09/24	Review EECRF Project Plan updates.	Sparks, S.C.	.20	121.00
05/10/24	Analyze draft testimony of S. Whitehurst.	Sparks, S.C.	.90	544.50
05/10/24	Communications with client regarding EECRF updates.	Sparks, S.C.	.40	242.00
05/13/24	Telephone conference and correspondence with client regarding energy efficiency.	Sparks, S.C.	.70	423.50
05/14/24	Analyze draft S. Case Testimony and Exhibits.	Sparks, S.C.	1.90	1,149.50
05/16/24	Review draft 2024 EECRF Application.	Sparks, S.C.	.70	423.50
05/16/24	Review draft 2024 EECRF Notice.	Sparks, S.C.	.30	181.50
05/16/24	Analyze EECRF schedules to prepare comments to same.	Sparks, S.C.	1.60	968.00
05/16/24	Analyze S. Seamster Testimony.	Sparks, S.C.	1.10	665.50
05/17/24	Reviewed exhibits to S. Seamster Direct Testimony.	Sparks, S.C.	.60	363.00
05/17/24	Prepare comments to S. Case Testimony and Exhibits.	Sparks, S.C.	1.10	665.50
05/17/24	Prepare comments to S. Seamster Testimony and Exhibits.	Sparks, S.C.	.90	544.50
05/17/24	Telephone conference and correspondence with client regarding EECRF testimony.	Sparks, S.C.	.50	302.50
05/17/24	Prepare comments to S. Whitehurst Testimony and Exhibits.	Sparks, S.C.	1.80	1,089.00
05/19/24	Prepare revisions to draft 2024 EECRF Application.	Sparks, S.C.	1.10	665.50

TXNM Energy, Inc.  
 TNMP EECRF 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
05/20/24	Analyze updated S. Whitehurst Testimony and Exhibits.	Sparks, S.C.	1.40	847.00
05/21/24	Analyze next steps for EECRF.	Sparks, S.C.	.60	363.00
05/22/24	Prepare updates to draft 2024 EECRF Application and Notice.	Sparks, S.C.	.90	544.50
05/23/24	Correspondence with client regarding EECRF filing.	Sparks, S.C.	.20	121.00
05/24/24	Telephone conference with client regarding EECRF Application.	Sparks, S.C.	.20	121.00
05/29/24	Correspondence with client regarding EECRF filing package.	Sparks, S.C.	.30	181.50
05/29/24	Analyze revised EECRF Application package.	Sparks, S.C.	1.20	726.00
05/29/24	Communications with client related to revisions to EECRF testimony and schedules.	Sparks, S.C.	.60	363.00
05/29/24	Confirm process for serving notice in EECRF proceedings.	Burleson, N.E.	.40	226.00
05/30/24	Telephone conference and correspondence with client regarding revisions to EECRF filing package.	Sparks, S.C.	.50	302.50
05/30/24	Review, compare and revise the service list of retail electric providers for receipt of new filing.	Thames, L.D.	2.20	726.00
05/30/24	Analyze revised EECRF testimonies and schedules.	Sparks, S.C.	2.20	1,331.00
05/31/24	Email communications with retail electric providers serving notice of rate change request and status of confirmation of receipt of email notifications.	Thames, L.D.	2.50	825.00
05/31/24	Revised EECRF Service List.	Sparks, S.C.	.30	181.50
05/31/24	Analyze revised EECRF Application and package.	Sparks, S.C.	1.60	968.00
05/31/24	Telephone conferences and correspondence with client regarding EECRF filing and service.	Sparks, S.C.	.70	423.50
05/31/24	Prepare comments to revised Application and package.	Sparks, S.C.	.80	484.00
05/31/24	Communications with paralegal and office support teams regarding service of EECRF application.	Burleson, N.E.	.30	169.50

Total Fees for Services Rendered	\$19,552.00
Fee Adjustment	(\$977.60)

TXNM Energy, Inc.  
TNMP EECRF 2024

Total Adjusted Fees	\$18,574.40
<b>TOTAL DUE THIS BILL</b>	<b>\$18,574.40</b>



July 15, 2024

PNM RESOURCES INC.  
577 N. Garden Ridge Blvd.  
Lewisville, TX 75067

Invoice No. 849560  
Matter No. 055767.00.0023

RE: TNMP EECRF 2024

Summary of Bill for Period Through June 30, 2024

Total Fees for Services Rendered	\$5,488.50
Less Discount	(\$274.43)
Total Adjusted Fees	\$5,214.07
Total Costs	\$19.46
Total Due This Bill	\$5,233.53

PLEASE REMIT PAYMENT PER BELOW AND REFERENCE INVOICE NUMBER

<b>PAYMENT BY CHECK:</b> VEDDER PRICE PC 8677 Solution Center Chicago, IL 60677-8006	<b>PAYMENT BY WIRE OR ACH TRANSFER:</b> VEDDER PRICE PC CIBC Bank USA 120 S. LaSalle Street, Chicago, IL 60603 ABA No. [REDACTED]; SWIFT No.: [REDACTED] Account No. [REDACTED] Wire Remit Advice: [REDACTED]
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TERMS: PAYABLE ON RECEIPT

TXNM Energy, Inc.  
 TNMP EECRF 2024

Legal Services for the Period Ending June 30, 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
06/03/24	Review and evaluate EECRF filing package, with focus on application and direct testimony provided in support of same.	Sawyer, K.A.	1.10	605.00
06/03/24	Review email bounce-backs related to service of Notice of the EECRF filing, identify parties that need to be served via mail, identify mailing addresses for same, and coordinate mailing with office support staff.	Burleson, N.E.	.90	508.50
06/03/24	Continue to monitor bounce backs of email notices to REP parties and make note of same on the index.	Thames, L.D.	.20	66.00
06/05/24	Email communications with paralegal regarding preparing affidavit of notice.	Burleson, N.E.	.20	113.00
06/05/24	Draft Affidavit of L. Thames regarding service of REP Notices.	Thames, L.D.	.30	99.00
06/06/24	Confirm native filing format for EEPR and send findings to TNMP.	Burleson, N.E.	.10	56.50
06/06/24	Review email bounce-backs for EECRF, determine parties that need to be re-noticed, and coordinate re-notices with office services.	Burleson, N.E.	.90	508.50
06/06/24	Revise and circulate affidavit of notice for EECRF notices.	Burleson, N.E.	.40	226.00
06/06/24	Telephone conference and correspondence with client regarding native documents.	Sparks, S.C.	.40	242.00
06/06/24	Review Preliminary Order.	Sparks, S.C.	.30	181.50
06/07/24	Coordinate execution of affidavit of notice, and file and serve same.	Burleson, N.E.	.30	169.50
06/07/24	Draft cover letter for filing natives of EEPR tables.	Burleson, N.E.	.30	169.50
06/07/24	Correspondence with client regarding EECRF schedules.	Sparks, S.C.	.30	181.50
06/07/24	Analyze EECRF filed schedules.	Sparks, S.C.	.40	242.00
06/07/24	Review and revise index of REP index identifying rejected email addresses, and service of notices by U.S. Mail for future reference; finalize Affidavit of L. Thames preparation filing.	Thames, L.D.	.30	99.00

TXNM Energy, Inc.  
 TNMP EECRF 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
06/07/24	Review native EEPR tables and cross-check native version against as-filed pdf version and communicate discrepancies to client.	Burleson, N.E.	.60	339.00
06/09/24	Review SOAH Order No. 1.	Sparks, S.C.	.20	121.00
06/10/24	Finalize, file and serve native EEPR tables.	Burleson, N.E.	.30	169.50
06/19/24	Review Staff's Recommendation on Sufficiency of Application.	Sparks, S.C.	.20	121.00
06/20/24	Review SOAH Order No. 2.	Sparks, S.C.	.20	121.00
06/21/24	Communications with team regarding status of EECRF.	Sparks, S.C.	.30	181.50
06/27/24	Analyze Cities Served by TNMP's Motion to Admit Evidence and Approve Rate Case Expenses.	Sparks, S.C.	.40	242.00
06/28/24	Review Staff's 1st RFIs to TNMP.	Sparks, S.C.	.30	181.50
06/28/24	Review Staff's Second RFI's to TNMP.	Sparks, S.C.	.40	242.00
06/28/24	Correspondence with client regarding Staff's 1st and 2nd RFIs.	Sparks, S.C.	.50	302.50

Total Fees for Services Rendered	\$5,488.50
Fee Adjustment	(\$274.43)
Total Adjusted Fees	<u>\$5,214.07</u>

## Costs

<u>Description</u>	<u>Amount</u>
POSTAGE	19.46
Total Costs	<u>\$19.46</u>
<b>TOTAL DUE THIS BILL</b>	<b>\$5,233.53</b>

August 09, 2024

Invoice No. 10003645  
Matter No. 055767.00.0023

PNM RESOURCES INC.  
577 N. Garden Ridge Blvd.  
Lewisville, TX 75067

RE: TNMP EECRF 2024

Summary of Bill for Period Through July 31, 2024

Total Fees for Services Rendered	\$18,777.50
Fee Adjustment	(\$938.87)
Total Adjusted Fees	\$17,838.63
Total Costs	\$0.00
Total Due This Bill	\$17,838.63

PLEASE REMIT PAYMENT PER BELOW AND REFERENCE INVOICE NUMBER

<b>PAYMENT BY CHECK:</b> VEDDER PRICE PC 8677 Solution Center Chicago, IL 60677-8006	<b>PAYMENT BY WIRE OR ACH TRANSFER:</b> VEDDER PRICE PC CIBC Bank USA 120 S. LaSalle Street, Chicago, IL 60603 ABA No. [REDACTED]; SWIFT No. [REDACTED] Account No. [REDACTED] Wire Remit Advice: [REDACTED]
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TERMS: PAYABLE ON RECEIPT

TXNM Energy, Inc.  
 TNMP EECRF 2024

Legal Services for the Period Ending July 31, 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
07/01/24	Telephone conference and communications with client regarding revising exhibits to Staff's 1st RFI.	Sparks, S.C.	.80	484.00
07/01/24	Review draft responses and exhibits to Staff's 1st RFI.	Sparks, S.C.	1.20	726.00
07/01/24	Analyze TIEC's Motion to Intervene.	Sparks, S.C.	.10	60.50
07/01/24	Analyze TIEC's 1st RFIs and potential objections to same.	Sparks, S.C.	.30	181.50
07/01/24	Review draft responses and exhibits to Staff's 2nd RFI.	Sparks, S.C.	.80	484.00
07/01/24	Review and evaluate TNMP's initial draft responses to Staff's First RFI's.	Sawyer, K.A.	1.10	605.00
07/02/24	Telephone conference and correspondence with Commission Staff regarding scope of Staff's 1st and 2nd RFIs.	Sparks, S.C.	.40	242.00
07/02/24	Correspondence with client regarding draft responses to TIEC's 1st RFIs.	Sparks, S.C.	.30	181.50
07/02/24	Telephone conference and correspondence with client regarding responses to Staff's 1st and 2nd RFIs.	Sparks, S.C.	.70	423.50
07/02/24	Review revisions to draft exhibits to Staff's 2nd RFI.	Sparks, S.C.	.50	302.50
07/02/24	Prepare comments to draft responses and exhibits to Staff's 1st RFI.	Sparks, S.C.	.40	242.00
07/02/24	Update proposed order for attorney review.	Yoakum, A.D.	.40	110.00
07/03/24	Assist with filing procedures and finalizing confidential documents.	Burleson, N.E.	.20	113.00
07/03/24	Review and revise confidential cover sheets, attachments, and responses to Staff's First and Second RFIs.	Burleson, N.E.	.50	282.50
07/03/24	Communications with client regarding revising responses and exhibits to Staff's 1st and 2nd RFIs.	Sparks, S.C.	.80	484.00
07/03/24	Substantively revise TNMP's response and exhibits to Staff's Second RFI, finalize and file same.	Sawyer, K.A.	1.20	660.00

TXNM Energy, Inc.  
 TNMP EECRF 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
07/03/24	Substantively revise TNMP's response and exhibits to Staff's First RFI, finalize and file same.	Sawyer, K.A.	1.60	880.00
07/03/24	Review TNMP's revised responses and exhibits to Staff's 1st and 2nd RFIs.	Sparks, S.C.	1.30	786.50
07/06/24	Prepare preliminary proposed order for approval of TNMP's 2024 EECRF application.	Sawyer, K.A.	3.10	1,705.00
07/08/24	Review Staff's Request for Extension.	Sparks, S.C.	.10	60.50
07/08/24	Analyze testimony and exhibits for evidence for draft Proposed Order.	Sparks, S.C.	1.30	786.50
07/08/24	Revise draft Proposed Order.	Sparks, S.C.	1.80	1,089.00
07/09/24	Analyze tariffs for potential corrections.	Sparks, S.C.	.40	242.00
07/09/24	Analyze filings and exhibits for Proposed Order.	Sparks, S.C.	1.60	968.00
07/09/24	Further revise draft Proposed Order based on docket filings.	Sparks, S.C.	2.30	1,391.50
07/09/24	Confirm past procedure for preparing and filing Erratas.	Burleson, N.E.	.20	113.00
07/09/24	Review and revise footnotes in proposed order and circulate changes to K. Sawyer and S. Sparks.	Burleson, N.E.	.40	226.00
07/09/24	Review revised responses to TIEC's First RFI.	Sparks, S.C.	.20	121.00
07/09/24	Draft errata to exhibit SRW-15 to TNMP's 2024 EECRF application and revise draft proposed order to reflect same.	Sawyer, K.A.	1.30	715.00
07/09/24	Supplement and revise draft proposed order to be submitted to Public Utility Commission with regard to TNMP's 2024 EECRF.	Sawyer, K.A.	.40	220.00
07/09/24	Substantively review and finalize TNMP's response to TIEC's first Request for Information and file.	Sawyer, K.A.	.80	440.00
07/10/24	Prepare emails to circulate filed errata to SRW-16 to parties and client.	Sawyer, K.A.	.20	110.00
07/10/24	Substantively revise and finalize errata to SRW-16 and file same.	Sawyer, K.A.	.50	275.00
07/16/24	Revise draft Motion to Admit Evidence	Sparks, S.C.	.20	121.00
07/16/24	Review confidential filings.	Sparks, S.C.	.40	242.00

TXNM Energy, Inc.  
 TNMP EECRF 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
07/16/24	Email client regarding confidential cover slips related to confidential attachments to the Application.	Burleson, N.E.	.20	113.00
07/16/24	Receipt and review of email communication from counsel for TIEC and response to provide TNMP's confidential filings.	Sawyer, K.A.	.50	275.00
07/17/24	Review correspondence from Cities and Staff regarding revisions to Proposed Order.	Sparks, S.C.	.20	121.00
07/17/24	Substantively revise motion to admit evidence.	Sawyer, K.A.	.20	110.00
07/18/24	Substantively supplement and revise proposed order based on comments received from parties to matter.	Sawyer, K.A.	.30	165.00
07/19/24	Prepare email correspondence to parties to matter with revised proposed order and draft motion to admit evidence.	Sawyer, K.A.	.20	110.00
07/22/24	Revise motion to admit evidence in light of remand order entered by SOAH and circulate revision to parties.	Sawyer, K.A.	.40	220.00
07/22/24	Receipt and review of order for remand entered by SOAH.	Sawyer, K.A.	.20	110.00
07/22/24	Review SOAH Order No. 4 and analyze next steps.	Sparks, S.C.	.30	181.50
07/22/24	Revise Motion to Admit Evidence and Proposed Order.	Sparks, S.C.	.40	242.00
07/23/24	Supplement, revise, and finalize motion to admit evidence and proposed order and submit same for filing.	Sawyer, K.A.	.60	330.00
07/23/24	Further revise Motion to Admit Evidence based on TIEC's confirmation.	Sparks, S.C.	.20	121.00
07/25/24	Correspondence with client regarding Orders No. 1 and 2.	Sparks, S.C.	.20	121.00
07/26/24	Analyze Proposed Order from OPDM for potential exceptions.	Sparks, S.C.	.80	484.00

Total Fees for Services Rendered	\$18,777.50
Fee Adjustment	(\$938.87)
Total Adjusted Fees	\$17,838.63

**TOTAL DUE THIS BILL** **\$17,838.63**

October 09, 2024

PNM RESOURCES INC.  
577 N. Garden Ridge Blvd.  
Lewisville, TX 75067

Invoice No. 10009999  
Matter No. 055767.00.0023

RE: TNMP EECRF 2024

Summary of Bill for Period Through September 30, 2024

Total Fees for Services Rendered	\$896.50
Fee Adjustment	(\$44.83)
Total Adjusted Fees	\$851.67
Total Costs	\$0.00
Total Due This Bill	\$851.67

PLEASE REMIT PAYMENT PER BELOW AND REFERENCE INVOICE NUMBER

<b>PAYMENT BY CHECK:</b> VEDDER PRICE PC 8677 Solution Center Chicago, IL 60677-8006	<b>PAYMENT BY WIRE OR ACH TRANSFER:</b> VEDDER PRICE PC CIBC Bank USA 120 S. LaSalle Street, Chicago, IL 60603 ABA No. [REDACTED]; SWIFT No.: [REDACTED] Account No [REDACTED] Wire Remit Advice: [REDACTED]
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FEIN [REDACTED]

TERMS: PAYABLE ON RECEIPT



TXNM Energy, Inc.  
TNMP EECRF 2024

Legal Services for the Period Ending September 30, 2024

<u>Date</u>	<u>Description</u>	<u>Timekeeper</u>	<u>Hours</u>	<u>Amount</u>
09/06/24	Telephone conference with client regarding status of PUC review of EECRF application.	Sparks, S.C.	.20	121.00
09/08/24	Correspondence with client regarding PUC review of EECRF application.	Sparks, S.C.	.10	60.50
09/09/24	Prepare letter to Commission requesting that matter be heard at next open meeting, file same, and serve to parties.	Sawyer, K.A.	1.00	550.00
09/11/24	Review State Office of Administrative Hearing orders.	Sawyer, K.A.	.30	165.00
Total Fees for Services Rendered				\$896.50
Fee Adjustment				(\$44.83)
Total Adjusted Fees				<hr/> \$851.67
<b>TOTAL DUE THIS BILL</b>				<b>\$851.67</b>

The following files are not convertible:

Exhibits SRW 2-14.xlsx

Exhibits SMC-3, 4, 7, 8\_Final.xlsx

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.