

Control Number: 50277



Item Number: 79

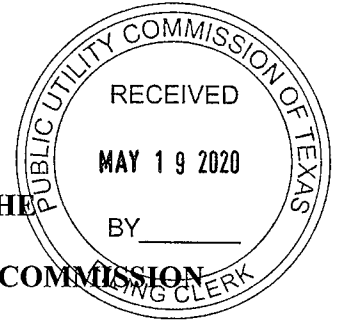
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DOCKET NO. 50277

APPLICATION OF EL PASO
ELECTRIC COMPANY TO AMEND
ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY
FOR AN ADDITIONAL
GENERATING UNIT AT THE
NEWMAN GENERATING STATION

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BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS



**CITY OF EL PASO'S FOURTH REQUESTS FOR INFORMATION TO EL PASO
ELECTRIC COMPANY NOS CEP 4-1 THROUGH CEP 4-5**

TO: EL PASO ELECTRIC COMPANY.

The City of El Paso (the "City") requests that El Paso Electric Company ("EPE"), provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within 4 working days. Please copy the question immediately above the answer to each question. The question(s) are continuing in nature, and if there is a relevant change in circumstances, such as that new or additional information or review reveals that an answer previously made is no longer complete or is inaccurate, that EPE submit an amended answer, under oath, as a supplement to your original answer within five days of the discovery of new or additional information. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

The City requests that EPE serve its respective responses to this Request on the following person via electronic mail and/or delivery of hard copies:

Norman J. Gordon
PO Box 8
El Paso, Texas, 79940
221 N. Kansas, Suite 700
El Paso, Texas, 79901
ngordon@ngordonlaw.com

Dated May 19, 2020

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Respectfully submitted,

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Attorneys for the City of El Paso

By: /s Norman J. Gordon
Norman J. Gordon

Certificate of Service

I certify that a true and correct copy of this document was served by e-mail and/or
US mail on all parties of record in this proceeding on May 19,, 2020.

 /s Norman J. Gordon
Norman J. Gordon

DEFINITIONS AND INSTRUCTIONS

1. This Request is directed to Applicant El Paso Electric Company ("EPE") References to, **"you" or "your"** means all divisions, departments, bureaus, agencies, and all witnesses whose testimony EPE intends to present, and all persons acting or purporting to act for or on behalf of Applicant, including its directors, officers, employees, and agents.

2. The terms **"document" and "documents"** are used in their broadest sense and shall mean and include all written, printed, electronic, typed, recorded, or graphic matter of every kind and description, including drafts, originals and copies, and all attachments and appendices thereto. Without limiting the foregoing, the terms "document" or "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries, tape recordings or other records of personal conversations, minutes or summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time books, time records, instructions, work assignments, financial statements, work sheets, workpapers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultant reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, affidavits, expense reports, microfilm, microfiches, articles, speeches, tape or disk recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilation from which information can be obtained (including matter used in data processing) and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, electronically-stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made.

3. **"Person"** means any natural person, firm, association, partnership, joint venture, corporation, estate, trust, receiver syndicate, municipal corporation, government agency, any other form of legal entity, and other group or combination acting as a unit.

4. **"Relating to"** a subject means making a statement about, mentioning, referring to, discussing, describing, reflecting, identifying, dealing with, consisting of, constituting or in any way pertaining, in whole or in part, to the subject.

5. **"Identify"** means:

- a. as to a "person," stating his, her or its:
 - (i) legal, full, and customarily used names;
 - (ii) present residential or business address;
 - (iii) job title; and
 - (iv) name of employer.

- b. as to a document, act, event, transaction or occurrence, stating:
 - (i) its date, authors or participants;
 - (ii) the place where it took place, was created or occurred;
 - (iii) its purpose and subject matter; and
 - (iv) a concise description of what transpired.
- 6. For each response, please state the Request for Information and identify the individual(s) responsible for preparing and sponsoring the response by name and title.
- 7. Pursuant to Rule 196.4, Texas Rules of Civil Procedure, any electronic or magnetic data included in the definition of document should be produced on a CD-ROM or similar media that is compatible with Microsoft Office software.
- 8. For each document produced that is generated by computer, please identify:
 - a. the nature and source of the data constituting the input;
 - b. the form of the input (e.g., tapes, punch cards);
 - c. the recording system employed (e.g., program, flow charts); and
 - d. the person(s) responsible for processing the input and/or performing the programming.
- 9. **“Each”** shall be construed to include the word **“every”** and **“every”** shall be construed to include the word **“each”**.
- 10. **“Any”** shall be construed to include **“all”**, and **“all”** shall be construed to include **“any.”**
- 11. The terms **“and”** and **“or”** shall be construed as either disjunctive or conjunctive as necessary to make this request inclusive rather than exclusive.
- 12. The term **“concerning”** includes the following meanings: relating to; pertaining to; regarding; discussion; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically, or factually connected to the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.
- 13. The term **“including”** means and refers to “including but not limited to.”
- 14. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 15. The present tense shall be construed to include the past tense, and the past tense shall

**CITY OF EL PASO'S THIRD REQUESTS FOR INFORMATION TO EL PASO
ELECTRIC COMPANY NOS CEP 4-1 THROUGH CEP 4-5**

- CEP 4-1. For Each Rebuttal witness provide copies in native format of all material reviewed by the witness in preparation of the rebuttal and all documents cited and/or referenced in the testimony.
- CEP 4-2. Reference the rebuttal testimony of Wayne Oliver at page 3 line 17-26.
- a. Identify each power procurement solicitation process in which Mr. Oliver is actively engaged.
 - b. For each power procurement process provide:
 - 1. Name of Utility
 - 2. Stage or Status of the process
 - 3. All communications or records of communications with the utility since February 1, 2020 which address timing of the solicitation
 - 4. Whether Mr. Oliver's evaluation addresses demands on the system.
- CEP 4-3. Reference the Rebuttal testimony of Wayne Oliver at Page 2 line 30-page 3 line 14:
- a. Identify all utilities for which Mr. Oliver has prepared Integrated Resource Plans
 - b. Identify all Integrated Resource Plans reviewed by Mr. Oliver in preparation of this testimony.
 - c. Provide the 2017 and 2019 Integrated Resource Plans for PacifiCorp
 - d. Identify the page or pages referenced for the values provided in the testimony.
- CEP 4-4. Reference the Rebuttal testimony of Wayne Oliver at pages 2 line 21- page 3 line 13, please provide all assessments of capacity value of solar performed by Mr. Oliver.
- CEP 4-5. Reference the Rebuttal testimony of Wayne Oliver at Page 2 line 20-page 3 line 14, please provide all prior testimonies of Mr. Oliver in which he has provided an assessment of the capacity value of solar.