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SOAH DOCKET NO. 473-20-3299  
PUC DOCKET NO. 50731



APPLICATION OF TEXAS-NEW  
MEXICO POWER COMPANY FOR A  
DISTRIBUTION COST RECOVERY  
FACTOR

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BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

**ALLIANCE OF TEXAS-NEW MEXICO POWER MUNICIPALITIES'  
THIRD SET OF REQUESTS FOR INFORMATION TO  
TEXAS NEW-MEXICO POWER COMPANY**

Alliance of Texas-New Mexico Power Municipalities' ("ATM") Third Set of Requests for Information ("RFIs") to Texas-New Mexico Power Company ("TNMP" or "Company") is hereby filed in this docket. Responses to the RFIs set forth on Exhibit A should be served on Alfred R. Herrera, Herrera Law & Associates, PLLC at 4400 Medical Parkway, Austin, Texas 78756, within ten (10) calendar days of service hereof or no later than **May 25, 2020**, or as modified by Order. Exhibit A is attached hereto and incorporated herein for all purposes.

**DEFINITIONS**

1. "Texas-New Mexico Power Company," "TNMP," the "Company," and "Applicant" refer to Texas-New Mexico Power Company and its affiliates PNM and PNMR Services Company to the extent they have incurred costs that have been allocated to TNMP and which TNMP proposes to recover through its DCRF.
2. "You," "yours," and "your" refer to Texas-New Mexico Power Company (as defined above), including its directors, officers, employees, consultants, agents, and attorneys.
3. "Document" and "documents" mean any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tapes, film, electronic facsimile, computer storage device of any other media, including, but not limited to, memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports and summaries of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form.

4. The term “communication” includes all verbal and written communications (including written records of verbal communications) of every kind, including but not limited to, telephone calls, conferences, letters and all memoranda or other documents concerning the requested item. Where communications are not in writing, provide copies of all memoranda and documents and describe in full the substance of the communication to the extent that substance is not reflected in the memoranda and documents provided and to the extent it is within the knowledge of Texas-New Mexico Power Company.
5. “Identification” of a document includes stating (a) the nature of the document (e.g., letter, memorandum, corporate minutes), (b) the date, if any, appearing thereon, (c) the date, if known, on which the document was prepared, (d) the title of the document, (e) the general subject matter of the document, (f) the number of pages comprising the document, (g) the identity of each person who signed or initialed the document, (h) the identity of each person to whom the document was addressed, (i) the identity of each person who received the document or reviewed it, (j) the location of the document, and (k) the identity of each person having custody of, or control over, the document. Identification of a document includes identifying all documents known or believed to exist, whether or not in the custody of Texas-New Mexico Power Company or in the custody of its attorneys or other representatives or agents.
6. “Identification” of a person includes stating his or her full name, his or her most recent known business address and telephone number, his or her present position, and his or her prior connection or association with any party to this proceeding.
7. “Person” refers to, without limiting the generality of its meaning, every natural person, corporate entity, partnership, association (whether formally organized or ad hoc), joint venture, unit operation, cooperative, municipality, commission, governmental body or agency.
8. Capitalized terms not otherwise defined herein shall have the meaning attributed to them in the referenced testimony.

#### **INSTRUCTIONS**

1. If any RFI appears confusing, please request clarification from the undersigned counsel.
2. In providing your responses, please start each response on a separate page and type, at the top of the page, the RFI that is being answered.
3. As part of the response to each RFI, please state, at the bottom of the answer, the name and job position of each person who participated in any way, other than providing clerical assistance, in the preparing of the answer. If the RFI has sub-parts, please identify the person or persons by sub-part. Please also state the name of the witness in this docket who will sponsor the answer to the RFI and who can vouch for the truth of the answer. If the RFI has sub-parts, please identify the witness or witnesses by sub-part.
4. Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.

5. If Texas-New Mexico Power Company considers any RFI to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please call the undersigned counsel as soon as possible in order to discuss the situation and to try to resolve the problem. Likewise, if Texas-New Mexico Power Company objects to any of the RFIs on the grounds that the RFI seeks proprietary information, or on any other grounds, please call the undersigned counsel as soon as possible.
6. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.
7. These requests shall be deemed continuing so as to require further and supplemental responses if Texas-New Mexico Power Company receives or generates additional information within the scope of these requests between the time of the original response and the time of the hearings.

Respectfully submitted,

**HERRERA LAW & ASSOCIATES, PLLC**

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**ATTORNEYS FOR ALLIANCE OF TEXAS-  
NEW MEXICO POWER MUNICIPALITIES**

### CERTIFICATE OF SERVICE

I certify that I have served a copy of *ATM's Third Set of Requests for Information to Texas-New Mexico Power Company* upon all known parties of record by electronic mail, facsimile, and/or first class mail on this the 13th day of May 2020.

By: /s/Leslie Lindsey

Leslie Lindsey

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- 3-1. [Reference TNMP Response to ATM RFI 2-2, Highly Sensitive Attachment ATM 2-2] Please confirm or deny that the A&G Capitalization Studies for 2012 and 2016 were provided in support of the allocation of affiliated costs in Docket Nos. 36025, 38840 *or* 48401. If confirmed, provide reference on the Interchange for the location of either of these studies. If denied, provide an explanation.
  
- 3-2. [Reference TNMP Response to ATM RFI 2-1, Attachment ATM 2-1a] Please provide a description of the column headings in this attachment.
  
- 3-3. [Reference TNMP Response to ATM RFI 2-5, Attachment ATM 2-5 and TNMP Response to ATM RFI 2-2, Highly Sensitive Attachment ATM 2-2] Provide an explanation as to why the imputed A&G load percentages shown on Attachment ATM 2-5 differ from the Minor and Major A&G capitalization rates provided in the Highly Sensitive Attachment ATM 2-2.