

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF EL PASO ELECTRIC COMPANY'S
APPLICATION FOR APPROVAL OF ABANDONMENT OF) Case No. 20-00194-UT
RIO GRANDE POWER PLANT UNIT 6)**

SECOND NOTICE TO EPE'S CUSTOMERS WHO RECEIVE ELECTRONIC BILLS

NOTICE is hereby given of the following matters pertaining to the above captioned case pending before the New Mexico Public Regulation Commission (Commission or NMPRC):

1. On October 6, 2020, El Paso Electric Company (EPE) filed an application and supporting direct testimony with the Commission requesting that the Commission enter an order authorizing EPE, in accordance with NMSA 1978, Section 62-9-5 (2005) of the Public Utility Act (PUA), to abandon the Rio Grande Power Plant Unit 6 (RG6) no later than October 1, 2021.

2. EPE's application states that: (a) RG6 is past the end of its useful life, (b) the present and future public convenience and necessity do not require the service or use of RG6, and (c) an order authorizing the abandonment of RG6 will have no impact on EPE's rates because RG6 capital and operation and maintenance costs are not included in EPE's base rates. EPE's application requests that the Commission issue a final order approving abandonment of RG6 no later than October 1, 2021.

3. The Commission has assigned Case No. 20-00194-UT to EPE's application, and all correspondence, pleadings, comments, inquiries, and other communications about the application shall refer to that case number.

4. EPE is certified and authorized to conduct the business of providing public utility service within the state of New Mexico, and is a public utility subject to the jurisdiction of the Commission under the PUA. Interested persons may examine EPE's application, pre-filed testimonies, exhibits, pleadings, and other documents filed in the case online at

<http://nmprc/state.nm.us> under “Case Lookup E-Docket” or at EPE’s website <http://epelectric.com>. All inquiries or written comments concerning this matter should refer to Case No. 20-00194-UT.

5. The procedural schedule established in this case is as follows:

(A) Any person desiring to become a party to this case shall file a motion for leave to intervene that complies with the applicable portions of 1.2.2.23 NMAC on or before March 5, 2021;

(B) The Commission staff shall, and any intervenors may, file direct testimony on or before June 7, 2021;

(C) Rebuttal testimony may be filed on or before June 28, 2021;

(D) A public hearing shall be held beginning on July 14, 2021, commencing at 9:00 a.m. M.T. and shall continue as necessary through July 15, 2021. The hearing will be held via Zoom, the web-conferencing platform, unless COVID-19 guidelines and safety concerns allow for an in-person proceeding, the Commission has facilities available to conduct an in-person proceeding, and all parties agree that an in-person proceeding is preferable. The hearing will be held to hear and receive testimony, exhibits, arguments, and any other appropriate matters pertaining to the case; and

(E) A prehearing shall be held at 2:30 p.m. on July 7, 2020, via Zoom for purposes of finalizing the decision as to whether the hearing shall be held over Zoom or in-person and to address any other matters that require attention prior to the hearing.

6. Due to a technical error in sending notice to customers who receive electronic bills, the deadline for motions for leave to intervene established in 5(A) above is extended for customers receiving this second notice until March 26, 2021.

7. The procedural dates and requirements provided here are subject to further order of the Commission or hearing examiner. The Commission's Rules of Practice and Procedure, 1.1.2 NMAC, apply to this case except as modified by order of the Commission or hearing examiner. The rules of procedure are available online at <http://164.64.110.134/nmac/home>.

8. Interested persons may submit written comments about this matter or may submit oral comments at the inception of the hearing and may do either without becoming an intervenor. Written comments, which shall reference Case No. 20-00194-UT, may be sent to the Commission at the following e-mail address: ana.kippenbrock@state.nm.us. If any interested person wishes to submit oral testimony at the beginning of the hearing, they shall write to the e-mail address just referenced in advance of the hearing date indicating their desire to provide comment. Written and oral comments shall not be considered evidence. *See* 1.2.2.23(F) NMAC.

9. Anyone filing pleadings, testimony, or any other documents shall follow the Commission's Temporary NMPRC Filing Policy, available at <http://nmprc.state.nm.us> toward the top of the page and to the right of "NEW!" Pleadings, testimony, and other documents shall also be served on all parties of record and staff in the way or ways specified in the most recent certificate of service issued in this case by the hearing examiner. Copies of all filings shall also be sent by email on the date of filing with the Commission to the hearing examiner at christopher.ryan@state.nm.us in PDF and MS Word or other native formats.

10. Any person whose testimony has been filed will attend the hearing and submit to examination under oath.

11. Interested persons should contact the Commission at (505) 690-4191 for confirmation of the hearing dates, times, and places since hearings are occasionally rescheduled.

12. Any person with a disability requiring special assistance in order to participate in this proceeding should contact the offices of the Commission at (505) 827-4500 at least 24 hours prior to the commencement of the hearing.

ISSUED at Santa Fe, New Mexico, this 10th day of March, 2021.

New Mexico Public Regulation Commission

A handwritten signature in black ink, appearing to read 'C. Ryan', written over a horizontal line.

[electronically signed]

Christopher P. Ryan
Hearing Examiner