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**DOCKET NO. 34494
SOAH DOCKET NO. 473-07-3572**

APPLICATION OF EL PASO ELECTRIC COMPANY FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY § **BEFORE THE STATE OFFICE OF**
§ **ADMINISTRATIVE HEARINGS**
§

EL PASO ELECTRIC COMPANY'S LIST OF ISSUES

Now comes El Paso Electric Company (EPE) and in response to the Commission's Order of Referral files this list of issues to be addressed in this proceeding.

I. Issues To Be Addressed

In its Petition, EPE set out what issues it believed should be addressed in this proceeding. That list was based on the issues contained in the Preliminary Order in Docket No. 32918, in which Southwestern Electric Power Company obtained Certificate of Convenience and Necessity (CCN) authorization to build a natural-gas fired generation facility in Arkansas. EPE believes that the issues found to be relevant in Docket No. 32918 are the same relevant issues in this proceeding.

Issues to be addressed

The issues that should be addressed in this proceeding (also found in Paragraph VIII of EPE's Petition on pages 7 and 8) are:

1. Is the CCN necessary for the service, accommodation, convenience, or safety of the public under PURA § 37.056, taking into account the following factors:
 - a. The adequacy of existing service;
 - b. The need for additional service;
 - c. The effect of granting the CCN to EPE and any electric utility serving the proximate area;
 - d. Other factors such as:
 - i. Community values;
 - ii. Recreational and park areas;

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- iii. Historical and aesthetic values;
 - iv. Environmental integrity;
 - v. The probable improvement of service or lowering of cost to consumers in the area if the certificate is granted; and
 - vi. To the extent applicable, the effect of granting the certificate on the ability of this state to meet PURA's goal of adding renewable energy resources established by PURA § 39.904(a).
2. What effect, if any, would approval of the CCN have on the implementation of customer choice in EPE's service territory?

Respectfully submitted,


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**ATTORNEYS FOR EL PASO ELECTRIC
COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record to this proceeding on this the 25th day of July, 2007, by facsimile, First Class U.S. Mail or hand-delivery.



Mark Santos