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NOTES:

Docket #39868 - Order No. 3 - this has been filed on 11/28/11 @ 1:58 p.m.

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DOCKET NO. 39868

PETITION OF EL PASO ELECTRIC	§	PUBLIC UTILITY COMMISSION
COMPANY FOR REVIEW OF THE	§	
CITY OF EL PASO'S RATE	§	OF TEXAS
RESOLUTIONS	§	

**ORDER NO. 3
GRANTING MOTIONS TO INTERVENE**

City of El Paso. On November 18, 2011, the City of El Paso (City) filed a motion to intervene in this proceeding. City stated it is a duly incorporated home rule city served by El Paso Electric Company (EPE) and is a regulatory authority having original jurisdiction over electric rates and service by EPE. City filed the motion on behalf of its citizens as an affected person and as a municipality regarding a utility serving within its corporate limits. City stated it is entitled to intervene pursuant to PURA¹ § 33.025. For the preceding reasons, City has a justiciable interest that may be affected by the outcome of this proceeding. No objections to City's motion to intervene were filed. Accordingly, City's motion to intervene is granted.

TIEC. On November 18, 2011, the Texas Industrial Energy Consumers (TIEC) filed a motion to intervene in this proceeding. TIEC is an association of industrial consumers of electricity whose purpose is to address electricity matters in proceedings before the Commission. TIEC members for this case include Western Refining Company, LP. TIEC member companies own and operate industrial facilities in the City of El Paso and purchase electricity from EPE. For these reasons, TIEC has a justiciable interest that may be adversely affected by the outcome of this proceeding. No objections to TIEC's intervention were filed. Accordingly, TIEC's motion to intervene is granted.

SIGNED AT AUSTIN, TEXAS the _____ day of November 2011.

PUBLIC UTILITY COMMISSION OF TEXAS

**IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT**

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¹ Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001-66.016 (Vernon 2007 & Supp. 2011) (PURA).