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DOCKET NO. 39868

PETITION OF EL PASO ELECTRIC §
COMPANY FOR REVIEW OF THE §
CITY OF EL PASO'S RATE §
RESOLUTIONS §

PUBLIC UTILITY COMMISSION
OF TEXAS

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**ORDER NO. 2
FINDING APPLICATION AND NOTICE SUFFICIENT AND
ESTABLISHING PROCEDURAL SCHEDULE**

On November 8, 2011, Commission Staff filed a response to Order No. 1 requiring responses. Commission Staff determined that the El Paso Electric Company's (EPE's) petition for review, as supplemented on November 4, 2011, satisfies the requirements for applications pursuant to P.U.C. PROC. R. 22.73; therefore, is found to be sufficient to initiate this matter before the Commission. Consistent with Commission Staff's determination, EPE's petition, as supplemented, is found to be sufficient.

Commission Staff determined that the notice provided by EPE be found to be sufficient notice of this proceeding. Accordingly, consistent with Commission Staff's determination, EPE's notice is deemed sufficient.

Commission Staff proposed a procedural schedule for processing this docket. Commission Staff's proposed schedule, as set out below, is adopted:

Deadline for intervention	November 18, 2011
Deadline for Commission Staff and Intervenors to respond to City of El Paso's Motion to Dismiss ¹	November 18, 2011
Deadline for EPE to respond to City of El Paso's Motion to Dismiss and to respond to Intervenor and Commission Staff responses to City of El Paso's Motion to Dismiss	December 5, 2011
Deadline for List of Issues, including (1) any issues that should not be addressed; and (2) any threshold legal and/or policy issues that should be briefed for purposes of a preliminary order	December 5, 2011

¹ On November 7, 2011, the City of El Paso filed the Motion to Dismiss for Lack of Jurisdiction in this docket.

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SIGNED AT AUSTIN, TEXAS the 9th day of November 2011.

PUBLIC UTILITY COMMISSION OF TEXAS



IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT

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