



NOTICE TO EL PASO ELECTRIC COMPANY'S CUSTOMERS

Notice is given that on August 3, 2026, El Paso Electric Company ("EPE") filed with the New Mexico Public Regulation Commission its Amended Application for Approval to Implement a Demand Response and Distributed Energy Resource Pilot Project (the "Project"), which amended EPE's Application that was initially filed on April 20, 2026. Specifically, the Amended Application requests the following from the Commission:

- 1) approve the Project's Long Term Purchased Power Agreement ("LTPPA") comprised of *The Distributed Energy Resources Aggregation Platform Master Power Purchase Agreement* between EPE and Creation Energy LLC and the Statement of Work 2 entered into pursuant to that master agreement.
- 2) approve the Project for up to 250 residential customers located in New Mexico.
- 3) approve Project costs including: (a) \$350,000 for the costs associated with equipment necessary to test the Project's dispatch methods as contemplated by Statement of Work 1, (b) a first-year cost of \$1.64 million, assuming all 250 homes are completed at the start of the first year operational period and escalating 2% thereafter. The nominal cost over the 30-year term of the agreement is \$66.5 million, as contemplated by Statement of Work 2, and (c) \$46,934 for E3's value stream analysis.
- 4) authorize EPE to defer approved Project costs for recovery in a future ratemaking proceeding.
- 5) authorize a variance from Rule 17.9.551.9(D)(6)'s requirement that the Amended Application be accompanied by testimony demonstrating that the LTPPA is the lowest reasonable cost resource.
- 6) provide any other approvals, authorizations, and actions that may be required under the Grid Modernization Statute, the Public Utility Act, Rule 551, or the Commission's Rules to implement the Project, to approve the underlying agreements, and to recover Project costs.

EPE's complete Application is accessible online on EPE's website, <https://www.epelectric.com/company/public-notice> and on the Commission's PRCe360 Case system at <https://e360.prc.nm.gov/> under Docket **Number 26-0000079**.

NO ACTION IS REQUIRED ON YOUR PART UNLESS YOU WANT TO BECOME A PARTY OR COMMENT ON THE APPLICATION

The major events for public participation in this matter will occur as follows:

- Deadline to file motions to intervene to become a party: **September 8, 2026**
- Deadline to file intervenors' direct testimony: **September 29, 2026**
- Deadline to file rebuttal testimony: **October 9, 2026**
- Public Evidentiary Hearing: **October 23 and 27, 2026**

PUBLIC HEARING

A public hearing to hear and receive testimony, exhibits, and legal arguments about the Application is set to commence on **October 23 and will continue, if necessary, October 27, 2026, starting at 9 a.m. each day**. The hearing will be conducted online and can be viewed via livestream on the Commission's YouTube channel and its website, <https://www.prc.nm.gov/public-hearings/>. Please contact the Commission for confirmation of the hearing, because hearings are occasionally cancelled or rescheduled.

PUBLIC COMMENT

People who are not associated with a party to this case may make written or oral comment as allowed by Rule 1.2.2.23(F) NMAC. Written comments must refer to **Docket Number 26-0000079** and be submitted before the Commission makes a final decision. Written comments should be submitted online through the PRCe360 Case System provided below. Comments can also be sent via US mail to PRC Records P.O. Box 1269, Santa Fe, NM 87504.

Alternatively, oral public comments are also welcome during Commission open meetings. The open meeting schedule can be found at www.prc.nm.gov/nmprc-open-meeting-agenda/. Email public.comment@prc.nm.gov or call (505) 490-7910 to sign up to comment online or by phone at an open meeting.

Instructions to submit written public comment online, to file pleadings and other documents, and to search Commission dockets are found at <https://e360.prc.nm.gov/>.

All filings subject to deadlines must be submitted within regular business hours of the due date to be considered timely filed.

TO BECOME A PARTY

If you wish to appear in this docket as a party, you must file a motion for leave to intervene, pursuant to 1.2.2.23 NMAC, on or before **September 8, 2026**. Intervenors must become familiar with the rules regarding practicing before the Commission and all other applicable rules.

The Commission's Rules of Procedure 1.2.2 NMAC apply except as modified by order of the Commission or Hearing Examiner. These and other rules are available online at <https://srca.nm.gov/nmac-home/nmac-titles/>.

THE DEADLINES GIVEN ABOVE ARE NOT ALL THE DEADLINES SET FORTH IN THIS MATTER, AND PARTIES AND POTENTIAL INTERVENORS ARE ADVISED TO READ THE COMPLETE PROCEDURAL ORDER ISSUED ON **August 20, 2026**, FOUND ON THE PRCe360 CASE MANAGEMENT SYSTEM.

PEOPLE WITH DISABILITIES WHO, IN ORDER TO ATTEND OR PARTICIPATE IN THE HEARING, REQUIRE A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER, OR ANY OTHER FORM OF AUXILIARY AID OR SERVICE OR OTHER TYPE OF ACCESSIBLE FORMAT OF PUBLIC DOCUMENTS, PLEASE CONTACT THE DIRECTOR OF ADMINISTRATIVE SERVICES OF THE COMMISSION AT (505) 827-8019 AS SOON AS POSSIBLE PRIOR TO THE HEARING.

Any person who desires more information about this case may contact the Commission by phone at (505) 827-4084 or 1-888-427-5772 or by email at Ryan.Jimenez@prc.nm.gov.