

EL PASO ELECTRIC COMPANY

**FIFTH REVISED RATE NO. 29
 CANCELLING FOURTH REVISED RATE NO. 29**

X
 X

**NOTICED INTERRUPTIBLE SERVICE RATE
 FOR LARGE POWER SERVICE**

APPLICABILITY:

This rate schedule is closed to new customers. This rate schedule is available to current Customers with total connected capacity requirements of at least 1,000 kilowatts (kW) and not served at a transmission voltage level, and at the sole discretion of the Company. The minimum level of firm demand to be required from qualifying Customers is 500 kW. Service is available under this schedule only if the utilization of this service is of such character that the service is capable of being interrupted at any time upon Company request without damage to property or persons and without adversely affecting the public health, safety and welfare. This rate schedule is available only in conjunction with firm service under other applicable rate schedules.

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At Customer's expense, Customer will install all necessary communication, relay and breaker equipment to qualify for service under this rate schedule, subject to Company approval, and will pay for associated hardware costs.

X

TERRITORY:

Areas served by the Company in Dona Ana, Sierra, Otero and Luna Counties.

TYPE OF SERVICE:

X

The type of service available under this rate schedule will be determined by the Company and will normally be single or three phase at the option of the Company and at a standard Company approved voltage. All service will be taken at a single point of delivery designated by the Company.

X
 X
 X
 X

MONTHLY RATES:

Demand and Energy Charges	Secondary	Primary	
Demand Charge per Billing kW	\$2.92	\$2.72	X
Energy Charge per kWh	\$ 0.01114	\$0.01114	X

DETERMINATION OF BILLING DEMAND:

Maximum demand will consist of both firm and interruptible demand, and will be defined as the highest thirty (30) minute average kilowatt load determined by measurement. The measured demand will be adjusted for billing when the Meter Voltage Adjustment clause is applicable.

X

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Advice Notice No. 239

Signature/Title *Nathan T. Hirschi*

**Nathan T. Hirschi
 Senior Vice President - CFO**

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The Total Billing Demand will be the maximum measured demand. In no event shall Total Billing Demand be less than the Minimum Firm Contract Capacity specified in the Contract for Power Service.

Firm Power Billing Demand shall be the lesser of (1) the Total Billing Demand or (2) the Contract Firm Power Demand established in the Contract for Power Service, but not less than the Minimum Firm Contract Capacity specified in the Contract for Power Service.

Firm Power Billing Demand as defined herein shall constitute the "demand used for billing" under the Customer's firm service rate schedule, and shall be billed in accordance with the rate schedule applicable to Customer's firm service.

INTERRUPTIBLE-TO-FIRM SERVICE LEVEL CAP:

A Cap on Interruptible Demand shall be applied. The customer's maximum interruptible load to be billed under this Interruptible rate will be no more than four (4) times the Firm Contracted Demand. All Interruptible Demand and associated Energy in excess of the Cap shall be billed in accordance with the rate schedule applicable to the Customer's firm service. A Customer exceeding the Cap may elect to redefine the Firm Power Demand specified in the Contract for Power Service.

X

The Cap for Interruptible Power Billing Demand shall be determined as the Firm Power Billing Demand multiplied by four (4).

Excess Interruptible Demand shall be defined as any metered demand greater than (1) the Firm Power Billing Demand plus (2) the Cap for Interruptible Power Billing Demand, and shall be billed in accordance with the rate schedule applicable to the Customer's firm service.

Firm Energy shall be determined by multiplying the ratio of the Firm Power Billing Demand to the Total Billing Demand times the metered kilowatt-hours. Firm Energy shall be billed in accordance with the rate schedule applicable to Customer's firm service.

Interruptible Energy shall be determined by multiplying the ratio of the Cap for Interruptible Power Billing Demand to the Total Billing Demand times the metered kilowatt-hours. Interruptible Energy shall be billed in accordance with this rate schedule.

Excess Interruptible Energy shall be defined as any metered energy greater than (1) the Firm Energy plus (2) the Interruptible Energy. The Excess Interruptible Energy shall be billed in

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accordance with the rate schedule applicable to Customer's Firm Service.

Customers with contracts in effect on or before January 1, 2004 shall be exempt from the provisions of the Interruptible-To-Firm Service Level Cap.

POWER FACTOR ADJUSTMENT:

X

If the power factor at the time of the highest thirty (30) minute interval kilowatt demand for the entire load is below 90% lagging, a power factor adjustment shall be calculated as follows:

X
X

ADJ = ((kW x .95 / PF) – kW) x DC, where

X

ADJ = Increase to applicable Demand Charge,

X

kW = Monthly Measured Demand,

X

PF = Monthly measured Power Factor, and

X

DC = Demand Charge.

X

METER VOLTAGE ADJUSTMENT:

X

If electric service is delivered on the high voltage side of a Customer-supplied transformer, but metered on the low voltage side of the transformer, the following meter adjustments shall be made:

X
X
X

Adjusted Maximum kW Demand = Metered Maximum kilowatts multiplied by 1.014

X

Billing kilowatt-hours = Metered kilowatt-hours multiplied by 1.020

X

If electric service is delivered on the low voltage side of a Company-owned transformer, and metered on the high voltage side of the transformer, the following meter adjustments shall be made:

X
X
X

Adjusted Maximum kW Demand = Metered Maximum kilowatts divided by 1.014

X

Billing kilowatt-hours = Metered kilowatt-hours divided by 1.020

X

FUEL AND PURCHASE POWER COST ADJUSTMENT CLAUSE (FPPCAC):

X

All service taken under this rate schedule is subject to the provisions of the Company's Rate Schedule No. 18 (FPPCAC).

X
X

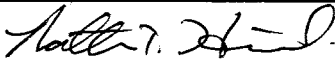
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EFFICIENT USE OF ENERGY RECOVERY FACTOR (EUERF):

All service taken under this rate schedule is subject to the provisions of the Company's Rate Schedule No. 17 (EUERF).

X
X

TAX ADJUSTMENT:

Billings under this rate schedule may be increased by an amount equal to the sum of taxes payable under the Gross Receipts and Compensating Tax Act and of all other taxes, fees or charges (exclusive of ad valorem, state and federal income taxes) payable by the utility and levied or assessed by any governmental authority on the public utility service rendered, or on the right or privilege of rendering the service, or on any object or event incidental to the rendition of the service.

X

CONTRACT FOR SERVICE:

A Contract for Power Service (Contract) must be executed between the Company and the Customer prior to taking service under this rate schedule. The Contract shall define the amount of the Customer's demand that shall be served as firm demand as further defined in the Applicability Section in this rate schedule. All demand in excess of the amount of firm demand specified in the Contract shall constitute interruptible demand and shall be served and billed on that basis. The Contract term shall be for an initial period of three (3) years, and shall continue year-to-year thereafter until canceled by either party upon one (1) year prior written notice. The amount of Contract Firm Power Demand and Minimum Firm Contract Capacity specified in the Contract will supersede and control over any inconsistent level of demand specified in any pre-existing agreement between the Company and the Customer.

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SCHEDULING PROCEDURES:

The Company and the Customer shall agree upon detailed procedures for requesting, providing notice of, and implementing interruptions, and shall set forth the same in the Contract for Power Service.

GENERAL CONDITIONS:

The Company may make intentional interruptions at any time and from time to time, at the Company's sole discretion, for up to one hundred (100) hours in any calendar year. However, the Company may not interrupt the Customer (1) due solely to differences in the Company's

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Final Order Case No. 15-00127-UT

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marginal cost of energy and the energy-related charges for Interruptible Power Service, or (2) to continue or make non-firm off-system sales. In the event of an interruption, the Company will provide a minimum thirty (30) minute notice prior to the interruption. Emergency conditions are deemed to exist at any time, in the judgment of the Company, that system demands for electricity exceed or are expected to be likely to exceed the Company's available electric supply for whatever reasons including, but not limited to, breakdown of generating units, distribution equipment or other critical facilities, short or long term shortages of fuel or generation, distribution, and other facilities, and requirements or orders of governmental agencies.

X
X

An hour of interruption shall be any clock-hour or part thereof during which the Company invokes an intentional interruption. The number of hours of interruption remaining in a calendar year shall be reduced by each interruption occasion. The Company will limit interruptions to six (6) hours per interruption and to no more than two (2) interruptions per week.

X
X

Interruptions will be controlled by the Company's system operator with the appropriate notice provided to Customer.

TERMS OF PAYMENT:

All bills under this rate schedule are due and payable when rendered and become delinquent twenty (20) calendar days thereafter. If the twentieth day falls on a holiday or weekend, the next Company business day will apply.

X
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X

TERMS AND CONDITIONS:

Service supplied under this rate schedule is subject to the Company's Rules and Regulations on file with the New Mexico Public Regulation Commission and available for inspection at Company offices. The provisions of any contract associated with service under this rate schedule are also applicable.

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X
X

During the term of the Customers' Contract for Power Service, Customer may not engage in self-generation other than periodic operation of any existing self-generation facilities.

Noticed Interruptible Power Service is provided to the Customer with the explicit knowledge and understanding that such service shall be subject to curtailment by the customer with notice from the Company. Failure to comply with the Company's request to curtail shall result in the following adjustments to Customer billings and service:

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- (1) during a calendar year, the first occasion in which the Customer fails to comply with a request for curtailment shall result in the customer being billed for the entire non-compliance month at the retail rates currently in effect and applicable to the Customer absent its qualifying facility generation; and X
- (2) during the calendar year, the second occasion in which the Customer fails to comply with a request for curtailment shall result in the Customer being billed or re-billed for each month of the current calendar year through the second non-compliance month at the retail rates currently in effect and applicable to the customer absent its qualifying facility generation; and X
- (3) during the calendar year, the third occasion in which the Customer fails to comply with a request for curtailment shall result in the Customer being billed or re-billed for each month of the current calendar year through the third non-compliance month at the retail rates currently in effect and applicable to the Customer absent its qualifying facility generation, and the Customer shall for a period of not less than one (1) year be served and billed under the otherwise applicable standard retail rate. X

If it is determined at any time by the Company that the Customer has not acted appropriately to maintain compliance with the provisions of this rate schedule, then the Customer will be immediately billed on the standard rate schedule for firm power for the period since service was first commenced under this rate schedule. X


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