

EL PASO ELECTRIC COMPANY

**SIXTH REVISED RATE NO. 30
CANCELLING FIFTH REVISED RATE NO. 30**

X
X

LOAD RETENTION RATE

APPLICABILITY:

This rate schedule is applicable to all commercial and industrial customers of the Company that have taken service from the Company for a period of at least twelve (12) consecutive months, and have a minimum monthly demand of at least 1,500 kilowatts (kW). X

TERRITORY:

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

AVAILABILITY:

The Load Retention Rate is available to Customers which meet the following criteria:

1. The Customer must provide notice to the Company that they will request termination of electrical service for either a portion or all of their electrical power and energy requirements due to an alternative generation source, or
2. The Customer must demonstrate that they will leave the Company's system, or discontinue or curtail service for financial reasons, and
3. The Customer must submit a notarized affidavit that attests to the fact that but for the Load Retention Rate contained herein, the Customer will leave the Company's system.

MONTHLY RATE:

The Company may enter into negotiations to establish a lower rate not less than the Company's incremental cost of power and energy as estimated over the term of the contract. Sufficient documentation of the cost estimates used in determining the economic feasibility of an alternative generation source shall be provided to the Company for their review. The negotiated rate shall be subject to the review and final approval of the New Mexico Public Regulation Commission (NMPRC).

The Company, at its option, will annually review its incremental cost of providing service to a contracted Load Retention Customer to determine if such costs exceed the Customer's contracted charges. Should the incremental costs exceed the Customer's contracted rate, the Company will adjust the charge to be above or equal to the incremental cost.

EFFECTIVE

JUL - 1 2016

Advice Notice No. 239

Signature/Title *Nathan T. Hirschi*

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

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Page 2 of 3

REQUIRED INFORMATION:

The Company shall obtain the following information from the Customer, and file that information with the NMPRC:

- 1. The Customer shall provide detailed engineering and economic studies and/or related information that clearly demonstrate the Customer's ability to displace load;
- 2. The Customer shall provide a sworn affidavit which states that the Customer is ready, willing, and able to leave the Company's system should this Load Retention Rate not be offered;
- 3. The Customer shall provide a signed statement from a qualified professional engineer that the Customer's potential alternative energy source meets all environmental standards set by applicable governmental entities including the Federal Clean Air Act, and all amendments;
- 4. An agreement as to the limit placed on the maximum number of kWh that can be taken by the Customer under this rate schedule, per year.

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

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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).

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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

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REPLACED BY NMPRC

BY Final Order Case No. 15-00127-UT

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Page 3 of 3

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
X
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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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