

DOCKET NO. _____

APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY FOR §
AUTHORITY TO CHANGE RATES § OF TEXAS

TABLE OF CONTENTS

SOUTHWESTERN PUBLIC SERVICE COMPANY'S
STATEMENT OF INTENT AND
APPLICATION FOR AUTHORITY TO CHANGE RATES
(Filename: 2021TXRCTOC.doc; Total Pages: 25)

Volume	Witness	Description of Attachment	Page	Bates Page
<u>Application</u>				
APP		Table of Contents	1	00001
		Statement of Intent and Application	26	00026
		Attachment A Proposed Form of Notice	38	00038
		Attachment B Bill Comparison	41	00041
		Attachment C Proposed Protective Order	45	00045
		Certificate of Service	63	00063
		Executive Summary	64	00064
<u>Revenue Requirement</u>				
RR 1	David T. Hudson	Testimony	1	00077
	DTH-RR-1	Qualifications and Testimony List	42	00118
	DTH-RR-2	SPS Service Area Map	51	00127
	DTH-RR-3	SPS Generation Resources Map	52	00128
	William A. Grant	Testimony	53	00129
	WAG-RR-1	Summary of Texas Retail Rate Increase Request	187	00263
	WAG-RR-2	Summary of Texas Retail Fuel Savings	188	00264
	WAG-RR-3	Map of SPS High-Voltage System	194	00270

Table of Contents
Southwestern Public Service Company Application
for Authority to Change Rates
Page i

Volume	Witness	Description of Attachment	Page	Bates Page
	WAG-RR-4	Native O&M Costs	195	00271
	WAG-RR-5	Southwest Power Pool Inc. Organizational Chart - 2020	199	00275
	WAG-RR-6	Summary of Southwest Power Pool Inc.'s Cost Allocation Methods	200	00276
	WAG-RR-7	Organizational Chart for Group Presidents	201	00277
	WAG-RR-8	Summary of Rate Case Expenses	202	00278
	WAG-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	205	00281
	WAG-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	206	00282
	WAG-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	207	00283
	WAG-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	208	00284
	Bryan R. Davis	Testimony	210	00286
	BRD-RR-1	Calculation of Bad Debt Expense Baseline and Deferral	236	00312
	Patricia L. Martin	Testimony	239	00315
	PLM-RR-1	Moody's October 19, 2018: Rating Action: Moody's Changes Xcel Energy's outlook to negative; downgrades Southwestern Public Service ratings to Baa2 with stable outlook	271	00347
	PLM-RR-2	Moody's December 31, 2020: Credit Opinion Southwestern Public Service; Update to Credit Analysis	278	00354
	PLM-RR-3	S&P Global Ratings November 6, 2018: Ratings Direct: Southwestern Public Service Co.	289	00365
	Todd A. Shipman	Testimony	297	00373
	TAS-RR-1	Resume of Todd A. Shipman	321	00397
	TAS-RR-2	Utility Credit Consultancy LLC Filings for Todd A. Shipman	323	00399
	TAS-RR-3	Moody's and S&P Ratings Scales	327	00403
	Jess K. Totten	Testimony	328	00404
	JTK-RR-1	Summary of Cases	351	00427

Volume	Witness	Description of Attachment	Page	Bates Page
	Dylan W. D'Ascendis	Testimony	353	00429
	DWD-RR-1	Summary of Return on Common Equity	421	00500
	DWD-RR-2	Financial Profile and Capital Structures of the Utility Proxy Group and SPS	425	00501
	DWD-RR-3	Application of the Discounted Cash Flow Model	430	00506
	DWD-RR-4	Application of the Risk Premium Model	444	00520
	DWD-RR-5	Application of the Capital Asset Pricing Model	457	00533
	DWD-RR-6	Basis of Selection for the Non-Price Regulated Companies Comparable in Total Risk to the Utility Proxy Group	459	00535
	DWD-RR-7	Application of Cost of Common Equity Models to the Non-Price Regulated Proxy Group	462	00538
	DWD-RR-8	Derivation of Business Risk Adjustment	468	00544
	DWD-RR-9	Derivation of Flotation Cost Adjustment	470	00546
RR 2	Richard D. Starkweather	Testimony	1	00547
	RDS-RR-1	Resume of Richard D. Starkweather	72	00619
	RDS-RR-2	Listing of National Peer Group Companies	74	00621
	RDS-RR-3(CD)	Retail Pricing and O&M Benchmarking Analysis (Provided in Native Format on CD Only)	78	00624
	RDS-RR-4(CD)	Capital Additions Benchmarking Analysis (Provided in Native Format on CD Only)	79	00625
	RDS-RR-5	Equivalent Commercial Airfare Costs – Test Year	80	00626
	RDS-RR-6	Equivalent Commercial Airfare Costs – Updated Test Year	81	00627
	RDS-RR-7(CD)	ScottMadden Analysis of Aviation Operations (Provided in Native Format on CD Only)	82	00628
	Mark P. Moeller	Testimony	83	00629
	MPM-RR-1(V)(CD)	Capital Additions, July 1, 2019 through September 30, 2020, Separated by Sponsoring Witness	145	00691
	MPM-RR-2	Capital Additions, October 1, 2020 through December 31, 2020, Separated by Sponsoring Witness	146	00692
	MPM-RR-3	Plant-Related Roll Forwards for the period July 1, 2019 through December 31, 2020	178	00724
	MPM-RR-4	Capital Additions, July 1, 2019 through September 30, 2020, Separated by Cost	192	00738

Volume	Witness	Description of Attachment	Page	Bates Page
		Component and Sponsoring Witness		
	MPM-RR-5	Affiliate Charge – Cost Components	208	00754
	MPM-RR-6	SPS’s Depreciation Expense	212	00758
	MPM-RR-7	Calculation to Unblend Depreciation Reserve	214	00760
	MPM-RR-8	Calculation of Accumulated Deferred Income Tax	220	00766
	Dane A. Watson	Testimony	222	00768
	DAW-RR-1	List of Prior Testimonies	239	00785
	DAW-RR-2	2018 Depreciation Study	253	00799
	DAW-RR-3	Current and Proposed Life and Net Salvage Parameters Technical Update	420	00966
	DAW-RR-4	Proposed Updated Generation Unit Retirement Dates	426	00972
	DAW-RR-5	Technical Update	427	00973
	DAW-RR-6	Comparison of Proposed Depreciation Rates with Current Depreciation Rates	451	00997
	DAW-RR-7(CD)	Detailed Workpapers for Technical Update	458	01004
RR 3	Ross L. Baumgarten	Testimony	1	01005
	RLB-RR-1	XES Affiliate Classes and Witnesses	91	01095
	RLB-RR-1A	Comparison of XES Affiliate Classes and Witnesses to Docket No. 49831	92	01096
	RLB-RR-2	Xcel Energy Holding Company List of Affiliates Pictorial View	93	01097
	RLB-RR-3	Xcel Energy Holding Company List of Affiliates by Group	99	01103
	RLB-RR-4	Total XES Billings to Legal Entities	103	01107
	RLB-RR-5	XES Web Training	104	01108
	RLB-RR-6	XES Affiliate Class Roll Up Organization Chart Pictorial View	124	01128

Volume	Witness	Description of Attachment	Page	Bates Page
	RLB-RR-7	XES Service Agreement with SPS	125	01129
	RLB-RR-8	XES Policies and Procedures	149	01153
	RLB-RR-9	XES Form 60 for 2019	164	01168
	RLB-RR-10	SPS Final Cost Centers with Dollars by Affiliate Class	228	01232
	RLB-RR-11	XES Indirect Allocating Cost Center Summary Schedules	243	01247
	RLB-RR-12	XES Allocating Cost Center Summary by Affiliate	329	01333
	RLB-RR-13(V)	XES Allocation Calculations for the Indirect Allocating Cost Centers	344	01348
	RLB-RR-14	XES Shared Asset Agreement with SPS	345	01349
	RLB-RR-15	XES Billings to SPS with Balance Sheet Exclusions	349	01353
	RLB-RR-16	XES Billings to SPS by FERC 400-935 with Exclusions and Pro Forma Adjustments	351	01355
	RLB-RR-17	All Other Affiliate Billings	354	01358
	RLB-RR-18	XES Billings to SPS before Pro Forma Adjustments by Affiliate Class Witness	364	01368
	RLB-RR-A(TY)	Summary XES Expenses to SPS by Affiliate Class and Billing Method	365	01369
	RLB-RR-A(UTY)	Summary XES Expenses to SPS by Affiliate Class and Billing Method	401	01405
	RLB-RR-B(TY)(V)(CD)	XES Billings by Legal Entity, Affiliate Class, Activity, Billing Method and FERC Account	439	01443
	RLB-RR-B(UTY)(V)(CD)	XES Billings by Legal Entity, Affiliate Class, Activity, Billing Method and FERC Account	440	01444
	RLB-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	441	01445
	RLB-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	445	01449
RR 4	Casey S. Meeks	Testimony	1	01467
	CSM-RR-1	Distribution Capital Additions from July 1, 2019 through September 30, 2020	132	01598
	CSM-RR-2	Distribution Capital Additions from October 2020 through December 31, 2020	166	01632
	CSM-RR-3	SPS Distribution Operation and Maintenance Expense	172	01638

Volume	Witness	Description of Attachment	Page	Bates Page
	CSM-RR-4	Organization Chart – Distribution Operations	176	01642
	CSM-RR-5	Organization Chart – Gas Operations	177	01643
	CSM-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Allocation Method	178	01644
	CSM-RR-B(CD)	XES Expenses by Affiliate Class, Activity Allocation method and FERC Account	180	01646
	CSM-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	181	01647
	CSM-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	182	01648
	Perry D. Foster	Testimony	186	01652
	PDF-RR-1	SPS Transmission Operation and Maintenance Expenses	222	01688
	PDF-RR-2	Organization Chart - Transmission	226	01692
	PDF-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	228	01694
	PDF-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	229	01695
	PDF-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	230	01696
	PDF-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	231	01697
	Jarred J. Cooley	Testimony	232	01698
	JJC-RR-1	Transmission Capital Additions for the Period July 1, 2019 through September 30, 2020	281	01747
	JJC-RR-2	Transmission Capital Additions for the Period July 1, 2019 through September 30, 2020 – Summary of Project	343	01809
	JJC-RR-3	Transmission Capital Additions for the Period October 1, 2020 through December 31, 2020	405	01871
	JJC-RR-4	Risk Assessment Categories	429	01895
	JJC-RR-5	Cost Estimate Summary	430	01896
	JJC-RR-6	Tolk Generators Change of Operation Study	431	01897

Volume	Witness	Description of Attachment	Page	Bates Page
	David A. Low	Testimony	461	01927
	DAL-RR-1	Energy Supply Organization Chart	617	02083
	DAL-RR-2(V)(HS)	Service, Maintenance, and Warranty Agreement between Southwestern Public Service Company and Vestas-American Wind Technology, Inc., dated as of June 15, 2018	619	02085
	DAL-RR-3(HS)	Wind and Easement Lease Agreement	620	02086
	DAL-RR-4	Tolk Station Annual Equivalent Availability Factors	621	02087
	DAL-RR-5	Harrington Station Annual Equivalent Availability Factors	622	02088
	DAL-RR-6	Gas Units (200-299 MW) Annual Equivalent Availability Factors	623	02089
	DAL-RR-7	Tolk Station Annual Forced Outage Rates	624	02090
	DAL-RR-8	Harrington Station Annual Forced Outage Rates	625	02091
	DAL-RR-9	Gas Units (200-299 MW) Forced Outage Rates	626	02092
	DAL-RR-10	SPS Native Operation and Maintenance Expenses	627	02093
	DAL-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	631	02097
	DAL-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	635	02101
	DAL-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	636	02102
	DAL-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	637	02103
RR 5	Bennie F. Weeks	Testimony	1	02108
	BFW-RR-1	List of Prior Testimonies	61	02168
	BFW-RR-2	Organization Chart – Resource Planning	63	02170
	BFW-RR-3	Harrington Generating Station Analysis	64	02171
	BFW-RR-4(CD)	Harrington Generating Station Analysis Workpapers – Financial Forecast Base Case	70	02177
	BFW-RR-5(CD)	Harrington Generating Station Strategist Workpapers – Financial Forecast High Case	71	02178
	BFW-RR-6(CD)	Harrington Generating Station Strategist Workpapers – Financial Forecast Low Case	72	02179

Volume	Witness	Description of Attachment	Page	Bates Page
	BFW-RR-7(CD)	Harrington Generating Station Strategist Workpapers – Planning Forecast Base Case	73	02180
	BFW-RR-8(CD)	Harrington Generating Station Strategist Workpapers – Planning Forecast High Case	74	02181
	BFW-RR-9(CD)	Harrington Generating Station Strategist Workpapers – Planning Forecast Low Case	75	02182
	BFW-RR-10(CD)	Tolk Generating Station Analysis Workpapers	76	02183
	BFW-RR-11(CD)	Sagamore Wind Project Strategist Workpapers	77	02184
	BFW-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	78	02185
	BFW-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	79	02186
	BFW-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	80	02187
	BFW-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	81	02188
	Mark Lytal	Testimony	82	02189
	ML-RR-1	Energy Supply Capital Additions from July 1, 2019 through September 30, 2020	129	02236
	ML-RR-2	Energy Supply Capital Additions from October 1, 2020 through December 31, 2020	153	02260
	ML-RR-3	Sagamore Wind Project Commercial Operation Notice Letter	169	02276
	ML-RR-4(V)(HS)	Master Supply Agreement between Capital Services, LLC. And Vestas-American Wind Technology, Inc., dated as of September 15, 2016	171	02278
	ML-RR-5(V)(HS)	Turbine Supply Agreement between Southwestern Public Service Company and Vestas-American Wind Technology, Inc., dated as of June 15, 2018	172	02279
	ML-RR-6	Sale of Components Agreement by and between Capital Services, LLC, and Southwestern Public Service Company, dated as of March 17, 2017	173	02280
	ML-RR-7(V)	Purchase and Sale Agreement between Invenergy and Southwestern Public Service Company, dated March 9, 2017	185	02292
	ML-RR-8(V)(HS)	Engineering, Procurement, and Construction Agreement by and between Southwestern Public Service Company, and Wanzek Construction,	186	02293

Volume	Witness	Description of Attachment	Page	Bates Page
		Inc., dated as of October 13, 2017		
	ML-RR-9	January 2020 Plant X Unit 3 Economic Analysis	187	02294
	ML-RR-10	December 2020 Plant X Unit 3 Economic Analysis	189	02296
	Richard L. Belt	Testimony	199	02306
	RLB-RR-1	2019 Groundwater Modeling Results for Tolk Station Wellfield by WSP, date December 2019	227	02334
	RLB-RR-2(CD)	SPS Water Modeling Spreadsheet	286	02393
	Michael O. Remington	Testimony	287	02394
	MOR-RR-1	Business Systems Organization Chart	351	02458
	MOR-RR-2	Business Systems Capital Additions for July 1, 2019 through September 30, 2020	352	02459
	MOR-RR-3	Business Systems Capital Additions for October 1, 2020 through December 31, 2020	374	02481
	MOR-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	387	02494
	MOR-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	391	02498
	MOR-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	392	02499
	MOR-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	393	02500
	Lawrence A. Bick	Testimony	395	02502
	LAB-RR-1	Property Services Capital Additions for July 1, 2019 through September 30, 2020	478	02585
	LAB-RR-2	Property Services Capital Additions for October 1, 2020 through December 31, 2020	480	02587
	LAB-RR-3	SPS Administrative and General Rents and Maintenance of General Plant Expenses	481	02588
	LAB-RR-4	Human Resources and Employee Services Chart	485	02592
	LAB-RR-5	OSHA Statistics	486	02593
	LAB-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	487	02594
	LAB-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method, and FERC Account	495	02602

Volume	Witness	Description of Attachment	Page	Bates Page
	LAB-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	496	02603
	LAB-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	497	02604
	James W. Sample	Testimony	505	02612
	JWS-RR-1	Enterprise Security Organization Chart	552	02659
	JWS-RR-2	Physical Security Capital Additions for July 1, 2019 through September 30, 2020	553	02660
	JWS-RR-3	Physical Security Capital Additions for October 1, 2020 through December 31, 2020	557	02664
	JWS-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	558	02665
	JWS-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method, and FERC Account	559	02666
	JWS-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	560	02667
	JWS-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	561	02668
RR 6	Adam R. Dietenberger	Testimony	1	02669
	ARD-RR-1	Property and Auto Liability Insurance Expenses	156	02824
	ARD-RR-2	Organization Chart – Chief Executive Officer	160	02828
	ARD-RR-3	Organization Chart – Customer and Innovation	161	02829
	ARD-RR-4	Organization Chart – Financial Operations	162	02830
	ARD-RR-5	Organization Chart – Risk Management and Audit Services	163	02831
	ARD-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	164	02832
	ARD-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	172	02840
	ARD-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	173	02841
	ARD-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	175	02843
	Robert H. Kunze	Testimony	179	02847

Volume	Witness	Description of Attachment	Page	Bates Page
	RHK-RR-1	Supply Chain Organization Chart	218	02886
	RHK-RR-2	2019 CAPS Research Utilities Industry Benchmarking Report	219	02887
	RHK-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	223	02891
	RHK-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	229	02897
	RHK-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	230	02898
	RHK-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	231	02899
	Nora Lindgren	Testimony	238	02906
	NL-RR-1	Native SPS Costs for Meter Reading and Customer Records and Collections	280	02948
	NL-RR-2	Organization Chart - Customer Care	284	02952
	NL-RR-3	Customer Payment Plan Data	285	02953
	NL-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	286	02954
	NL-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	287	02955
	NL-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	288	02956
	NL-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	289	02957
	Carol C. Bouw	Testimony	290	02958
	CCB-RR-1	Organization Chart - General Counsel	350	03018
	CCB-RR-2	Native SPS Costs for Outside Law Firms and Third Party Legal Vendors	351	03019
	CCB-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	355	03023
	CCB-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	356	03024

Volume	Witness	Description of Attachment	Page	Bates Page
	CCB-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	357	03025
	CCB-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	358	03026
	Jeffrey R. Lyng	Testimony	359	03027
	JRL-RR-1	Organization Chart – Strategy Planning & External Affairs	407	03075
	JLA-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	408	03076
	JLA-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	410	03078
	JLA-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	411	03079
	JLA-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	412	03080
	Shawn M. White	Testimony	413	03081
	SMW-RR-1	List of Prior Testimonies	447	03115
	SMW-RR-2	SPS Energy Efficiency and Load Management Costs	448	03116
	SMW-RR-3	Organization Chart for Marketing	452	03120
	SMW-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	453	03121
	SMW-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	454	03122
	SMW-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	455	03123
	SMW-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	456	03124
RR 7	Jeffrey A. Butler	Testimony	1	03125
	JAB-RR-1	Operations Services Organization Chart	37	03161
	JAB-RR-2(CONF)	Calculation of Transmission Congestion Rights Fees for Letter of Credit	38	03162

Volume	Witness	Description of Attachment	Page	Bates Page
	JAB-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	39	03163
	JAB-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	40	03164
	JAB-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	41	03165
	JAB-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	42	03166
	Michael P. Deselich	Testimony	44	03168
	MPD-RR-1(CONF)	Competitive Total Direct Compensation Analysis (2020 Willis Towers Watson Study)	155	03279
	MPD-RR-2(CONF)	2020 Xcel Energy Non-Bargaining, Exempt Employee Annual Incentive Program Booklet	156	03280
	MPD-RR-3	Organization Chart – Human Resources & Employee Services	167	03291
	MPD-RR-A	Summary of XES Expenses to SPS by Affiliate Class and Billing Method	168	03292
	MPD-RR-B(CD)	XES Expenses to all Affiliates by Affiliate Class, Activity, Billing Method and FERC Account	177	03301
	MPD-RR-C	Exclusions from XES Expenses to SPS by Affiliate Class and FERC Account	178	03302
	MPD-RR-D	Pro Forma Adjustments to XES Expenses by Affiliate Class and FERC Account	179	03303
	Richard R. Schrubbe	Testimony	191	03315
	RRS-RR-1	Calculation of Deferred Pension and OPEB Balances	246	03370
	RRS-RR-2	2019 Actuarial Report	248	03372
	RRS-RR-3	2020 Actuarial Report	262	03386
	RRS-RR-4	Calculation of Actuarially Determined Pension and Benefit Amounts	278	03402
	RRS-RR-5	Calculation of Active Health and Welfare Amounts	280	03404
	RRS-RR-6	Average Balances of Qualified Pension Fund Amounts	281	03405
	RRS-RR-7	Development of Qualified Pension Asset Balance	282	03406
	H. Craig Romer	Testimony	286	03410

Volume	Witness	Description of Attachment	Page	Bates Page
	HCR-RR-1(CONF)	2019 TUCO Audit	308	03432
	Jeffrey C. Klein	Testimony	309	03433
	JCK-RR-1	Summary of SPS PPAs	330	03454
	JCK-RR-2	Summary of PPA Costs	331	03455
	JCK-RR-3	Timeline of PPAs for which Recovery is Requested	332	03456
	JCK-RR-4	Workpapers of Jeffrey C. Klein	333	03457
	Naomi Koch	Testimony	335	03459
	NK-RR-1	Internal Revenue Code § 168 and 26 C.F.R. § 1.167	374	03498
	NK-RR-2	Private Letter Ruling 201438003	438	03562
	NK-RR-3	Private Letter Ruling 201436038	445	03569
	NK-RR-4	Private Letter Ruling 201436037	452	03576
	NK-RR-5	SPS Property Tax Calculation	459	03583
	Ruth M. Sakya	Testimony	461	03585
	RMS-RR-1	List of Prior Testimony	480	03604
	RMS-RR-2	Annual REC Expense Calculation	484	03608
	RMS-RR-3	REC Market Prices	485	03609
	RMS-RR-4	Annual REC Revenue Credit	487	03611
RR 8	Thomas K. Anson	Testimony	1	03612
	TKA-RR-1(V)	Workpapers of Thomas K. Anson	30	03641
	Stephanie N. Niemi	Testimony	31	03642
	SNN-RR-1	Cost of Service Study for the Period Ending September 30, 2020	117	03728
	SNN-RR-2	Cost of Service Study for the Period Ending December 31, 2020 plus Update Period Estimates	270	03881
	SNN-RR-3	Native O&M Costs	459	04070
	SNN-RR-4	Lead-Lad Study Summary	463	04074
	SNN-RR-5	Safety, Conservation and Customer Program Advertising	464	04075

Volume	Witness	Description of Attachment	Page	Bates Page
	SNN-RR-5(CD)	Workpapers of Stephanie N. Niemi	516	04127
<u>Rate Design</u>				
RD1	Richard M. Luth	Testimony	1	04128
	RML-RD-1	Revenue Summary	76	04203
	RML-RD-2	Jurisdictional Allocation Factors	77	04204
	RML-RD-3	Present Revenues	78	04205
	RML-RD-4	Class Cost of Service Study	88	04215
	RML-RD-5	Comparison of Cost Classifications	271	04398
	RML-RD-6	TCRF, DCRF, & PCRF Baselines	277	04404
	RML-RD-7	Revenue at Proposed Rates	290	04417
	RML-RD-8	Comparison of Present and Proposed Base Rates	300	04427
	RML-RD-9	Resiliency Service	307	04434
	RML-RD-10(CD)	Workpapers of Richard M. Luth	316	04443
	Jannell E. Marks	Testimony	317	04444
	JEM-RD-1	Weather Normalization of Test Year and Updated Test Year Sales	368	04495
	JEM-RD-2	Weather Normalization of Test Year and Updated Test Year Sales Wholesale and New Mexico	383	04510
	JEM-RD-3	Weather Normalization of Test Year Peak Demand	421	04548

Volume	Schedule	Description	Page	Bates Page
Schedules				
SCH 1				
	A	Overall Cost of Service	1	04556
A-1		Overall Cost of Service - Texas Retail	5	04560
A-2		Cost of Service Detail by Account	6	04561
A-3		Adjustments to Test Year	8	04563
A-4		Detail TYE Trial Balance	37	04592
A-5		Unadjusted O&M	42	04597
	B	Rate Base and Return		
B-1		Total Company	46	04601
	B-1.1	Texas Retail	47	04602
	B-1.2	Percentage of Plant in Service	48	04603
	B-1.3	Penalties or Fines	49	04604
	B-1.4	Post Test Year Adjustments	50	04605
B-2		Accumulated Provision Balances	51	04606
	B-2.1	Accumulated Provision Policies	61	04616
	C	Original Cost of Plant		
C-1		Original Cost of Utility Plant	62	04617
C-2		Detail of Original Cost of Utility Plant	63	04618
C-3		Monthly Detail of Utility Plant in Service	66	04621
C-4		Construction Work in Progress (CWIP)		
	C-4.1	CWIP by Functional Group	74	04629
	C-4.2	CWIP Allowed in Rate Base	80	04635
		Allowance for Funds Used During Construction (AFUDC)	81	04636
C-5		Nuclear Fuel	86	04641
C-6(all)		Accumulated Depreciation	87	04642
	D	Accumulated Provision for Depreciation and Amortization by Functional Group and/or Primary Account	88	04643
D-1		Booking Methods	99	04654
D-2		Plant Held for Future Use	100	04655
D-3		Depreciation & Amortization Expense	101	04656
D-4		Depreciation Rate Study	135	04690
D-5(V)		Retirement Data for All Generating Units	136	04691
D-6		Summary of Book Salvage	137	04692
D-7		Service Life	138	04693
	E	Short Term Assets and Inventories		
E-1		Monthly Balances of Short Term Assets	141	04696
	E-1.1	Detail of Short Term Assets	142	04697
	E-1.2	Obsolete Assets	148	04703
	E-1.3	Short Term Assets Policies	149	04704
E-2		Fossil Fuel Inventories		
	E-2.1	Inventory Policies	150	04705

Volume	Schedule	Description	Page	Bates Page
	E-2.2	Inventory Evaluation	151	04706
	E-2.3	Fuel Inventories	153	04708
	E-2.4	Inventory Levels	155	04710
	E-2.5	Inventory Values	158	04713
E-3		Fossil Fuel Supply Disruptions		
	E-3.1	Fuel Oil Burns	159	04714
	E-3.2	Natural Gas Supply Disruptions	171	04726
	E-3.3	Coal or Lignite Supply Disruptions	172	04727
E-4		Working Cash Allowances	175	04730
E-5		Prepayments and Materials and Supplies	177	04732
E-6		Customer Deposits	178	04733
	F	Description of Company	179	04734
	G	Accounting Information		
G-1		Payroll Information	184	04739
	G-1.1	Regular and Overtime Payroll	185	04740
	G-1.2	Regular Payroll by Category	186	04741
	G-1.3	Payroll Capitalized vs. Expensed	187	04742
	G-1.4	Payroll by Company	188	04743
	G-1.5	Number of Employees	189	04744
	G-1.6	Payments Other Than Standard Pay	190	04745
G-2		General Employee Benefit Information	191	04746
	G-2.1	Pension Expense	199	04754
		Postretirement Benefits Other Than Pension	203	04758
	G-2.2	Expense	205	04760
	G-2.3	Administrative Fees	206	04761
G-3		Bad Debt Expense	209	04764
G-4		Summary of Advertising, Contributions & Dues	210	04765
	G-4.1	Summary of Advertising Expense	211	04766
	G-4.1a	Summary of Informational/Instructional Advertising	213	04768
	G-4.1b	Summary of Advertising to Promote & Retain Usage	214	04769
	G-4.1c	Summary of General Advertising Expense	216	04771
	G-4.1d	Capitalized Advertising	217	04772
	G-4.2	Summary of Contribution & Donation Expense	218	04773
	G-4.2a	Summary of Educational Contributions and Donations	220	04775
	G-4.2b	Summary of Community Service Contributions and Donations	235	04790
	G-4.2c	Summary of Economic Development Contributions and Donations	237	04792
	G-4.3	Summary of Membership Dues Expense	238	04793
	G-4.3a	Summary of Industry Organization Dues	242	04797
	G-4.3b	Summary of Business/Economic Dues	243	04798
	G-4.3c	Summary of Professional Dues		

Volume	Schedule	Description	Page	Bates Page
		G-4.3d Summary of Social, Recreational, Fraternal or Religious Expense	277	04832
		G-4.3e Summary of Political Organizations Expense	279	04834
G-5		Summary of Exclusions from Test Year Expense	280	04835
	G-5.1	Analysis of Legislative Advocacy	281	04836
	G-5.1a	Payments to Registered Lobbyists	282	04837
	G-5.1b	Payments for Monitoring Legislation	283	04838
	G-5.2	Summary of Penalties and Fines	284	04839
	G-5.3	Other Exclusions	285	04840
	G-5.4	Analysis of Prior Rate Case Exclusions	286	04841
	G-5.5	Comparison of Prior Rate Case Exclusions to Current	287	04842
G-6		Summary of Test Year Affiliate Transactions	288	04843
	G-6.1	Summary of Test Year Expense by Affiliate	290	04845
	G-6.2	Summary of Adjustments to Test Year Expense by Affiliate	318	04873
G-7		Federal Income Taxes		
	G-7.1(HS)	Reconciliation of Test Year Book Net Income to Taxable Net Income	325	04880
	G-7.1a(HS)	Reconciliation of Timing Differences	326	04881
	G-7.2	Plant Adjustments	327	04882
	G-7.3(all)	Consolidation Taxes	328	04883
	G-7.4	Accumulated Deferred Federal Income Taxes	329	04884
	G-7.4a	ADFIT - Description of Timing Differences	334	04889
	G-7.4b	Adjustments to ADFIT	342	04897
	G-7.4c	ADFIT and ITC - Plant Adjustments & Allocations	347	04902
	G-7.4d	ADFIT - Rate Case Expense	348	04903
	G-7.5	Analysis of Investment Tax Credits	349	04904
	G-7.5a	Investment Tax Credits Utilized	350	04905
	G-7.5b	Investment Tax Credits Generated but Not Utilized	351	04906
	G-7.5c	Investment Tax Credits Utilized - Stand Alone Basis	352	04907
	G-7.5d	Investment Tax Credits Election	353	04908
	G-7.5e	FERC Account 255 Balance	354	04909
	G-7.6	Analysis of Deferred FIT	355	04910
	G-7.6a	Analysis of Deferred Federal Income Taxes	356	04911
	G-7.7	Analysis of Additional Depreciation Requested	358	04913
	G-7.8	Analysis of Test Year FIT & Requested FIT - Tax Method 1	360	04915
	G-7.9	Amortization of Protected and Unprotected Excess Deferred Taxes	361	04916
	G-7.9a(HS)	Analysis of Excess Deferred Taxes by Timing Difference	362	04917
	G-7.9b	Reconciliation of Excess	363	04918

Volume	Schedule	Description	Page	Bates Page
	G-7.9c	Analysis of Reserve Accounting for Excess Deferred Taxes	364	04919
	G-7.10	Effects of Accounting Order Deferrals	365	04920
	G-7.11	Effects of Post Test Year Adjustments	366	04921
	G-7.12	Effects of Rate Moderation Plan	367	04922
	G-7.12a	Treatment of FIT and ADFIT in Rate Moderation Plan	368	04923
	G-7.13	List of FIT Testimony	369	04924
	G-7.13a	History of Tax Normalization	370	04925
	G-7.13b	Tax Elections	371	04926
	G-7.13c	Changes in Accounting for Deferred FIT	372	04927
	G-7.13d	IRS Audit Status	373	04928
	G-7.13e	Private Letter Rulings	374	04929
	G-7.13f	Method of Accounting for ADFIT Related to NOL Carryforward	375	04930
	G-8	Outside Services Employed - FERC 900 Series Expenses	376	04931
	G-9	Taxes Other than Income Taxes	386	04941
	G-9.1	Ad Valorem Taxes & Plant Balances	388	04943
	G-10	Factoring Expense	389	04944
	G-11	Deferred Expenses from Prior Dockets	390	04945
	G-12	Below the Line Expenses	394	04949
	G-13	Nonrecurring or Extraordinary Expenses	395	04950
	G-14	Regulatory Commission Expense	396	04951
	G-14.1	Rate Case Expenses	397	04952
	G-14.2	Rate Case Expenses - Prior Rate Applications	398	04953
	G-15	Monthly O&M Expense	401	04956
	H	Engineering Information		
	H-1	Summary of Test Year Production O&M Expenses	409	04964
	H-1.1(all)	Nuclear Expense Summaries	410	04965
	H-1.2	Fossil Company-wide O&M Expenses Summary	411	04966
	H-1.2a	Natural Gas Plant O&M Summary	412	04967
	H-1.2a1	Natural Gas (Steam Generation) O&M Summary	413	04968
	H-1.2a2	Natural Gas (Combustion Turbine) O&M Summary	420	04975
	H-1.2b	Coal Plant O&M Summary	425	04980
	H-1.2c	Lignite Plant O&M Summary	428	04983
	H-1.2d	Other (Diesel) – Other Plant O&M Summary	429	04984
	H-2	Summary of Adjusted Test Year Production O&M Expenses	434	04989
	H-3	Summary of Actual Production O&M Expenses Incurred	436	04991
	H-4	Major O&M Projects	437	04992
	H-5	Production Plant Capital Costs		
	H-5.1	Capital Cost Methodology	438	04993

Volume	Schedule	Description	Page	Bates Page
	H-5.2	Capital Costs		05008
	H-5.2a	Nuclear Capital Costs Projects	453	05009
	H-5.2b	Fossil Production Plan Capital Costs Projects	454	
	H-5.3	Capital Expenditures		
	H-5.3a	Nuclear Capital Expenditures (Historical, Present, Projected)	465	05020
	H-5.3b	Fossil Production Plant Capital Expenditures (Historical, Present, Projected)	466	05021
	H-6	Unit Outages		05061
	H-6.1(all)	Nuclear Unit Outage	506	
	H-6.2	Fossil Unit Outage		
	H-6.2a	Fossil Unit Forced Outage History	507	05062
	H-6.2b	Fossil Unit Planned Outage Data	521	05076
	H-6.2c(HS)	Fossil Unit Outage Planning	526	05081
	H-6.3	Incremental Outage Costs		
	H-6.3a	Nuclear Unit Incremental Outage Costs	530	05085
	H-6.3b	Fossil Unit Incremental Outage Costs	531	05086
	H-7	Production O&M Personnel Information		
	H-7.1	Company-wide Staffing Plan	532	05087
	H-7.2	Production Plant/Unit Staffing Study	533	05088
	H-7.3	Personnel Assigned for Plant/Unit	534	05089
	H-7.4	Average Personnel Assigned	535	05090
	H-7.5	Production O&M Organizational Charts	538	05093
	H-8	Production Operations Programs	539	05094
	H-9	Production Maintenance Programs	544	05099
	H-10	Nuclear Decommissioning Cost Studies	550	05105
	H-11	O&M Production Percentages by Primary Fuel Type		
	H-11.1	O&M Expenses per Production Plant Expenses	551	05106
	H-11.2	Maintenance Man-hour Ratio	552	05107
	H-11.3	O&M Cost per MWh	558	05113
SCH 2	H-12	Technical Data		
	H-12.1	Supply and Load Data	1	05121
	H-12.2	Summary of Production by Unit Data		
	H-12.2a	Summary of Net MWh Production by Unit (Lignite, Coal & Nuclear)	3	05123
	H-12.2a1	Summary of Net MWh Production for Previous Five (5) Years (Lignite, Coal & Nuclear)	4	05124
	H-12.2b	Summary of Net MWh Production by Unit (Natural Gas/Oil)	7	05127
	H-12.2b1	Summary of Net MWh Production by Unit for Previous Five (5) Years (Natural Gas/Oil)	9	05129
	H-12.2c	Summary of Net MWh Production by Unit (Hydro & Other)	13	05133

Volume	Schedule	Description	Page	Bates Page
	H-12.2c1	Summary of Net MWh Production for Previous Five (5) Years (Hydro & Other)	14	05134
	H-12.3	Summary of Generating Unit Data		
	H-12.3a	Generating Unit Data	17	05137
	H-12.3b	Unit Characteristics	26	05146
	H-12.3c	Generating Unit Efficiency and Control Systems	51	05171
	H-12.4	Summary of Purchased Power Data		
	H-12.4a	Summary of Firm Purchased Power (Net MWh)	77	05197
	H-12.4b	Firm Purchased Power Energy Costs	78	05198
	H-12.4c	Summary of Firm Purchased Power Fixed Costs	79	05199
	H-12.4d	Firm Purchased Power Energy Costs per MWh	80	05200
	H-12.4e	Non-Firm Purchased Power	81	05201
	H-12.4f	Non-Firm Purchased Power Energy Costs	82	05202
	H-12.4g	Non-Firm Purchased Power Energy Costs per MWh	83	05203
	H-12.5	Summary of System Sales Data		
	H-12.5a	Summary of Line Losses & System's Own Use	84	05204
	H-12.5b	Summary of Off-System Sales (Economic & Firm)	85	05205
	H-12.5c	Off-System Sales Revenue (Energy Charge Component)	87	05207
	H-12.5d	Off-System Sales Revenue (Fixed Charge Component)	89	05209
	H-12.5e	Summary of Off-System Sales Revenue (Energy Charge/MWh)	91	05211
	H-12.5f	Summary of On-System Sales (Wholesale & Retail)	93	05213
	H-12.6	Load Curves		
	H-12.6a	Monthly Minimum and Peak Demand	94	05214
	H-12.6b(V)	Monthly Load Duration Curves	95	05215
	H-12.6c	Annual Load Duration Curves	96	05216
	H-13	Quality of Service		
	H-13.1	Quality of Service Information	118	05238
	H-13.1a	Voltage Surveys	119	05239
	H-13.1b	Circuit Breaker Operations	120	05240
	H-13.1c	Quality of Service Complaints	124	05244
	H-13.1d	Tree Trimming Program	125	05245
	H-13.1e	Quality of Service Improvements	126	05246
	H-13.2	IE 24 Reports (Form 417R)	129	05249
	H-13.3	Continuity of Service	130	05250
H-14	H-14.1	Transmission Wheeling Data		
	H-14.1a	Available Capacity Wheeling	131	05251
	H-14.1b	Planned Capacity Wheeling	132	05252
	H-14.2	Wheeling Information	133	05253
	I	Fuel and Purchased Power Information		

Volume	Schedule	Description	Page	Bates Page
I-1		Fuel and Purchased Power Information		
	I-1.1	Fuel by Account Number	145	05265
	I-1.2	Fuel Burned	147	05267
	I-1.3	Fossil Fuel Purchased	169	05289
	I-1.4	Nonrecurring Fuel and Purchased Power Expenses	209	05329
I-2		Fuel and Purchased Power Procurement Practices	210	05330
I-3		Fuel and Purchased Power Committees	214	05334
I-4		Fuel and Fuel Related Contracts	215	05335
I-5		Combustion Residuals		
	I-5.1	Combustion Residual Production	225	05345
	I-5.2	Combustion Residual Disposal	226	05346
	I-5.3	Combustion Residual Disposal Costs	227	05347
I-6		Natural Gas Delivery System	228	05348
I-7		Natural Gas Storage Description	229	05349
I-8		Fuel Properties	232	05352
I-9		Employee Organization Charts	233	05353
I-10(V)		Employee Ethics	241	05361
I-11		Fuel and Purchased Power Assumptions Narrative	242	05362
I-12		Fossil Fuel Mix	243	05363
I-13		Ethics - Relationships with Fuel Supplier	244	05364
I-14		Fuel Audits	245	05365
I-15		Fuel Contract Analysis	246	05366
I-16(all)		Reconcilable Fuel Costs	247	05367
I-17		Coal and Lignite Costs		
	I-17.1(CONF)	Coal Cost Breakdown	248	05368
	I-17.2	Lignite Cost Breakdown	249	05369
	I-17.3	Coal Cost Description	250	05370
I-18		Coal and Lignite Supplier Locations	251	05371
I-19		Rail Car Data		
	I-19.1	Rail Haul Distance	252	05372
	I-19.2	Unit Trains	253	05373
	I-19.3	Cycle Time	254	05374
	I-19.4	Rail Cars	255	05375
	I-19.5	Rail Car Leases	256	05376
	I-19.6	Rail Car Maintenance	257	05377
	I-19.7	Rail Car Repairs	258	05378
I-20		Fuel Management Travel	259	05379
I-21		Fuel Management	260	05380
I-22		Variability of Average Fuel Costs with kWh Sales	263	05383
	J	Financial Statements		
J-1		Reconciliation: Total Company to Total Electric	264	05384
J-2(V)		Consolidated Financial Statements	265	05385
	K	Financial Information (Investor-Owned Utilities)		

Volume	Schedule	Description	Page	Bates Page
	K-1	Weighted Average Cost of Capital	266	05386
	K-2	Weighted Average Cost of Preferred Stock	268	05388
	K-3	Weighted Average Cost of Long-Term Debt	269	05389
	K-4	Notes Payable	273	05393
	K-5	Security Issuance Restrictions	274	05394
	K-6	Financial Ratios	276	05396
	K-7	Capital Requirements and Acquisition Plan	282	05402
	K-8	Historical Growth in Earnings, Dividends, and Book Value	283	05403
	K-9(V)	Rating Agency Reports	287	05407
	L(all)	Financial Information (River Authorities)	288	05408
	M(all)	Nuclear Plant Decommissioning	289	05409
	N(all)	Energy Efficiency Plan	290	05410
	O	Key Operating Statistics		
	O-1	Summary of Test Year Adjustments		
	O-1.1	Test Year Data by Rate Class	291	05411
	O-1.2	Monthly Data by Rate Class	292	05412
	O-1.3	Unadjusted Test Year Data by Rate Class	303	05423
	O-1.4	Monthly Adjusted Test Year Data by Rate Class	320	05440
	O-1.5	System Information	337	05457
	O-1.6	System Load Factor (%)	339	05459
	O-1.7	Adjustments to Billing Demand	340	05460
	O-1.8	Operating Statistics Narrative	344	05464
	O-1.9	Peak Demand by Rate Class	345	05465
	O-1.10	Break Down of Rate Class Sales	346	05466
	O-2(all)(CD)	Model Information	350	05470
	O-3	Customer Adjustments		
	O-3.1	Number of Customers	351	05471
	O-3.2	Customer Adjustment Methodology	355	05475
	O-3.3	Other Customer Adjustment Information	356	05476
	O-4	Revenue Impacts of Adjustments		
	O-4.1	kWh Sales and kW Demand	360	05480
	O-4.2	Revenue Methodologies	369	05489
	O-5	Variability of Average Fuel Costs with kWh Sales	371	05491
	O-6	Net Energy Load		
	O-6.1	Unadjusted kWh Sales by Month of the Test Year	372	05492
	O-6.2	Adjusted kWh Sales Data	373	05493
	O-6.3	System Line Loss Calculations	374	05494
	O-7	Rate Year Sales and Demand Forecast		
	O-7.1	Sales and Demand Data	440	05560
	O-7.2	Historical Sales Data	452	05572
	O-8	Weather Data		
	O-8.1	Historical Weather Data	501	05621

Volume	Schedule	Description	Page	Bates Page
	O-8.2	Historical Weather Data after Weighting and Billing Cycle Adjustments	507	05627
	O-8.3	Normal Heating and Cooling Degree Days	522	05642
	O-8.4	65 Deg. F Base Temperature Responses	523	05643
	O-9(all)(CD)	Rate Year Forecast Model Information	524	05644
	O-10	Economic and Demographic Data		
	O-10.1	Historical Data	525	05645
	O-10.2	Personal Income Data	532	05652
	O-10.3	Price of Electricity	539	05659
SCH 3	P	Class Cost of Service Analysis	1	05696
	P-1.1	Proposed Rate Schedules/Proposed Rate Classes	3	05698
	P-1.2	Existing Rate Schedules/Proposed Rate Classes	6	05701
	P-1.3	Existing Rate Schedules/Existing Rate Classes	9	05704
	P-1.4	Proposed Rate Schedules/Existing Rate Classes	12	05707
	P-1.5	Financial Data for Non-Investor-Owned Utilities	15	05710
	P-2	Allocation of Revenue Deductions to Proposed Rate Classes	16	05711
	P-3	Allocation of Rate Base to Proposed Rate Classes	67	05762
	P-4	Separation of Expenses	91	05786
	P-5	Separation of Rate Base	133	05828
	P-6	Unit Cost Analysis	178	05873
	P-7	Allocation Factors	256	05951
	P-8	Classification Factors	308	06003
	P-9	Demand and Energy Loss Factors	326	06021
	P-10	Payroll Expense Distribution	328	06023
	P-11	Distribution Plant Study	337	06032
	P-12	Support for Production Allocation Methodology	343	06038
	P-13	Summary of Changes in Allocation Factors	344	06039
	Q	Rate Design		
	Q-1	Revenue Summary	345	06040
	Q-1.1	Revenue Summary	349	06044
	Q-2	Power Cost Recovery	350	06045
	Q-3	Proposed Changes in Miscellaneous Charges	351	06046
	Q-4	Rate Class Definition		
	Q-4.1	Present and Proposed Rate Classes	352	06047
	Q-4.2	Justification of Proposed Changes	353	06048
	Q-5	Load Research Data		
	Q-5.1	Demand Data by Customer Class	354	06049
	Q-5.2	Demand, Consumption, and Customer Data by Strata	356	06051
	Q-5.3	Demand Estimates Methodology	376	06071
	Q-6	Justification for Consumption Level-Based Rates	377	06072

Volume	Schedule	Description	Page	Bates Page
	Q-7	Proof of Revenue Statement	378	06073
	Q-8	Rate Design Analysis Data		
	Q-8.1	Marginal and Average Cost Schedules	404	06099
	Q-8.2	Expected Annual Load Duration Curve	416	06111
	Q-8.3	Representative Marginal and Average Energy Costs	474	06169
	Q-8.4	Diurnal Load	486	06181
	Q-8.5	Billing Determinants	496	06191
	Q-8.6	Contract Prices	500	06195
	Q-8.7	Wholesale Tariffs	501	06196
	Q-8.8	Tariff Schedules	502	06197
	Q-8.9	Bill Comparisons	588	06283
	R(all)	Financial Information (G&T Cooperatives)	600	06295
	S(all)	Test year Review (By Independent Accountants)	601	06296
	T	Proposed Form of Notice	611	06306
	U	Compliance with PUC Orders	614	06309
	V	Request for Waiver of Rate Filing Package Requirements	615	06310
	W	Confidentiality Disclosure Agreement	619	06314

Workpapers to Schedules

WPS(CD)		Workpapers to Rate Filing Package Schedules	1	06335
---------	--	---	---	-------

DOCKET NO. _____

APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY FOR §
AUTHORITY TO CHANGE RATES § OF TEXAS

**SOUTHWESTERN PUBLIC SERVICE COMPANY'S
STATEMENT OF INTENT AND APPLICATION
FOR AUTHORITY TO CHANGE RATES**

Table of Contents

I.	Overview of Relief Sought	3
II.	Jurisdiction and Affected Parties	5
III.	Authorized Representatives and Service of Documents	6
IV.	Effective Date of Rate Change and Temporary Rates	7
V.	Proposed Notice	8
VI.	Supporting Documentation	8
VII.	Summary of Proposed Rate Changes.....	8
VIII.	Request for Waivers of RFP Requirements	10
IX.	Confidentiality and Protective Order	10
X.	Conclusion and Prayer for Relief.....	11
	Attachment A – Proposed Form of Notice	13
	Attachment B – Bill Comparison.....	16
	Attachment C – Proposed Protective Order.....	20
	CERTIFICATE OF SERVICE	38

GLOSSARY OF ACRONYMS AND DEFINED TERMS

<u>Acronym/Defined Term</u>	<u>Meaning</u>
Commission	Public Utility Commission of Texas
FERC	Federal Energy Regulatory Commission
MW	Megawatt
PURA	Public Utility Regulatory Act
RFP	Rate Filing Package
ROE	Return on Common Equity
SPS	Southwestern Public Service Company, a New Mexico corporation
TAC	Tex. Admin. Code
Temporary Rate Date	March 15, 2021, which is the 35th day after the date the Application was filed
Temporary Rate Period	The final rates set in the rate case will be applied to usage on and after the Temporary Rate Date until the relate-back date in the rate case
Test Year	October 1, 2019 through September 30, 2020
Update Period	October 1, 2020 through December 31, 2020
Updated Test Year	January 1, 2020 through December 31, 2020
WACC	Weighted Average Cost of Capital
Xcel Energy	Xcel Energy Inc.

DOCKET NO. _____

APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY FOR §
AUTHORITY TO CHANGE RATES § OF TEXAS

**SOUTHWESTERN PUBLIC SERVICE COMPANY'S
STATEMENT OF INTENT AND APPLICATION
FOR AUTHORITY TO CHANGE RATES**

Southwestern Public Service Company (“SPS”) seeks authority to change its base rates and requests certain other approvals, in accordance with Chapter 36 of the Public Utility Regulatory Act (“PURA”)¹ and Subchapter J of the Public Utility Commission of Texas’s (“Commission”) Substantive Rules. In support of its request, SPS shows as follows.

I. Overview of Relief Sought

SPS is presenting its application in two phases: (i) Revenue Requirement; and (ii) Rate Design. The Revenue Requirement phase presents and supports SPS’s cost of service analysis, capital investments, depreciation expense, capital structure, return on common equity (“ROE”), operation and maintenance (“O&M”) expenses, taxes, revenue credits, and other types of costs that SPS incurs to provide service to customers. The Rate Design phase addresses how the Texas retail revenue requirement is allocated among SPS’s customer classes and how the rates are designed for these customer classes. The fundamental principles utilized are based on cost causation and are similar to how SPS has performed these functions in past cases. SPS’s proposals, described below, are based on an “Updated Test Year” of January 1, 2020 through December 31, 2020. The Updated Test Year is the product of a historical test year of October 1, 2019 through September 30, 2020 (“Test Year”), updated to include information that reflects SPS’s most current actual information for the period from October 1, 2020 through December 31, 2020 (“Update Period”), as authorized by PURA § 36.112 and 16 Tex. Admin. Code (“TAC”) § 25.246. SPS’s requests are as follows:

¹ Tex. Util. Code Ann. §§ 11.001-66.016.

Revenue Requirement Phase

1. SPS asks the Commission to approve a total Texas retail base rate revenue requirement (including miscellaneous tariff charges) of \$765,521,011 and a base rate increase of \$143,365,836, which SPS has calculated based on an overall weighted average cost of capital (“WACC”) of 7.56%. That WACC is based on:
 - a proposed equity ratio of 54.60%;
 - a proposed long-term debt ratio of 45.40%;
 - a proposed cost of long-term debt of 4.20%; and
 - a proposed ROE of 10.35%.
2. SPS asks the Commission to find that the capital additions placed into service during the period from July 1, 2019 through December 31, 2020 are reasonable and necessary, and that the costs incurred by SPS for those capital additions are reasonable and prudent.
3. SPS asks the Commission to find that SPS’s requested O&M expenses and administrative and general expenses, including native and affiliate expenses, are reasonable and necessary and satisfy the applicable standards under PURA and the Commission’s Substantive Rules.
4. SPS asks the Commission to approve SPS’s Technical Depreciation Update and resulting depreciation rates, including shorter service lives for: the Tolk Generating Station (“Tolk”) Units 1 and 2 based upon a retirement date of 2032; the coal-specific assets at Harrington Generating Station (“Harrington”) based on a retirement date of 2024; and Plant X Unit 3 (“Plant X3”) based on a retirement date of 2022.
5. SPS asks the Commission to establish SPS’s baseline levels for the pension and other post-employment benefits (“OPEB”) expenses.
6. SPS asks the Commission to approve the waivers from the Rate Filing Package (“RFP”) schedules described in Schedule V to the RFP and Section VIII of this application.
7. SPS asks the Commission to approve SPS’s request to maintain the current Attachment Z2 regulatory asset.
8. SPS asks the Commission to approve SPS’s request to recover incremental direct costs incurred as a result of the COVID-19 pandemic, establish a tracker for bad debt expense, and seek recovery of the additional bad debt expense in SPS’s next base rate case.

9. SPS asks the Commission to approve its proposal to reallocate transmission costs as a result of Lubbock Power & Light (“LP&L”) moving its transmission load to the Electric Reliability Council of Texas (“ERCOT”) system by June 2021.
10. SPS asks the Commission to approve SPS’s proposed Resiliency Service Tariff.
11. SPS asks the Commission to authorize recovery of \$6,486,825 in rate case expenses that were incurred or are expected to be incurred by SPS and the intervening municipalities in the following dockets:
 - \$5,489,800 – rate case expenses associated with this immediate docket;
 - \$685,575 – rate case expenses associated with Docket No. 51625, SPS’s currently pending fuel formula docket; and
 - \$311,450 – rate case expenses associated with Docket No. 51644, SPS’s surcharge proceeding associated with Docket No. 49831.

Rate Design Phase

12. SPS asks the Commission to approve SPS’s proposed Texas retail cost allocation, proposed revenue distribution, and rate design.
13. SPS asks the Commission approve the complete set of proposed tariff schedules presented in Schedule Q-8.8 of the RFP, including the proposed changes to SPS’s rate and rule tariffs.
14. SPS asks the Commission to establish SPS’s base line revenue requirement components for purposes of setting the: (i) Transmission Cost Recovery Factor; (ii) Distribution Cost Recovery Factor; and (iii) Purchased Power Capacity Cost Recovery Factor.

II. Jurisdiction and Affected Parties

SPS is a public utility as that term is defined in PURA § 11.004(1) and an electric utility as that term is defined in PURA § 31.002(6). SPS, a New Mexico corporation, is a wholly owned subsidiary of Xcel Energy Inc. (“Xcel Energy”), which is a utility holding company that owns several electric and natural gas utility operating companies, a regulated natural gas pipeline company, and three electric transmission companies.² SPS serves retail electric customers in Texas and New Mexico and wholesale electric customers in both of those states and Oklahoma.

² Xcel Energy is the parent company of four utility operating companies: Northern States Power Company, a Minnesota corporation; Northern States Power Company, a Wisconsin corporation; Public Service Company of Colorado, a Colorado corporation; and SPS. Xcel Energy’s natural gas pipeline company is WestGas InterState, Inc. Through a subsidiary, Xcel Energy Transmission Holding Company, LLC, Xcel Energy also owns three transmission-only operating companies: Xcel Energy Southwest Transmission Company, LLC; Xcel Energy Transmission Development Company, LLC; and Xcel Energy West Transmission Company, LLC, all of which are regulated by FERC.

The Commission regulates SPS's Texas retail operations. The New Mexico Public Regulation Commission regulates SPS's New Mexico retail operations. The Federal Energy Regulatory Commission ("FERC") regulates SPS's wholesale power sales and SPS's transmission of electricity in interstate commerce. SPS's business address is 790 S. Buchanan St., Amarillo, Texas 79101.

The Commission has exclusive original jurisdiction over this application for service provided to environs customers in Texas and to customers within the corporate limits of those municipalities within SPS's Texas service territory that have surrendered their regulatory jurisdiction to the Commission.³ SPS is subject to the Commission's jurisdiction under PURA. The Commission has jurisdiction over this matter under PURA §§ 14.001, 32.001, 36.001-36.112, and 36.204-36.205, 36.211, and under 16 TAC §§ 25.231, 25.245, and 25.246.

Contemporaneous with this filing, SPS filed a Statement of Intent and Application for Authority to Change Rates with those municipalities that retain original jurisdiction over SPS's rates within their corporate limits. SPS may appeal the municipal rate ordinances to the Commission and request that the Commission consolidate those appeals with this case and, if necessary, set the rates that the local regulatory authorities should have set.⁴

This application affects SPS and all of its Texas retail customers (all rate classes and rate schedules).

III. Authorized Representatives and Service of Documents

SPS's authorized representatives for this case are:

Francis W. DuBois
Mark A. Walker
XCEL ENERGY SERVICES INC.
919 Congress Ave., Suite 900
Austin, Texas 78701
(512) 236-6926
(512) 236-6935 (Fax)
will.w.dubois@xcelenergy.com
mark.a.walker@xcelenergy.com

William A. Grant
Regional Vice President, Regulatory and
Strategic Planning
Jeremiah W. Cunningham
Rate Case Manager
SOUTHWESTERN PUBLIC SERVICE COMPANY
790 S. Buchanan St.
Amarillo, Texas 79101
(806) 378-2430
(806) 378-2820 (Fax)
william.a.grant@xcelenergy.com
jeremiah.w.cunningham@xcelenergy.com

³ PURA §§ 32.001, 32.002, and 33.002.

⁴ See PURA §§ 33.051, 33.053, and 33.054.

Lino Mendiola III
EVERSHEDS SUTHERLAND (US) LLP
600 Congress Ave., Suite 2000
Austin, Texas 78701
(512) 721-2700
(512) 721-2656 (Fax)
linomendiola@eversheds-sutherland.com

Ron H. Moss
WINSTEAD PC
401 Congress Avenue, Suite 2100
Austin, Texas 78701
(512) 370-2867
(512) 370-2850 (Fax)
rhmosse@winstead.com

SPS requests that all information and documents in this proceeding (e.g., motions, orders, discovery requests) be served on its authorized representatives.

IV. Effective Date of Rate Change and Temporary Rates

SPS's proposed effective date for this rate change is 35 days after the date of this filing, which is March 15, 2021. The Commission, however, has the authority to suspend the rates for 195 days beyond March 15, 2021,⁵ which is September 26, 2021. If the Commission suspends the proposed rates, the final rates set in this proceeding will relate back to consumption occurring on and after July 13, 2021, which is the 155th day after the RFP was filed.⁶

Consistent with the settlement in Docket No. 46936 and in accordance with PURA § 36.109, SPS further requests that the Commission establish temporary rates on March 15, 2021, which is the 35th day after the date the Application was filed ("Temporary Rate Date"). As part of this request, SPS requests that the final rates set in this case be applied to usage on and after the Temporary Rate Date. Under this proposal, the final rates set in the rate case will be applied to usage on and after the Temporary Rate Date until the relate-back date in the rate case under PURA § 36.211 (the "Temporary Rate Period"). There will be a refund or surcharge applicable for usage during the Temporary Rate Period, which SPS proposes to implement in conjunction with any refund or surcharge associated with the relate-back date under PURA § 36.211.

⁵ PURA § 36.108(a)(2) provides for a 150-day suspension period, which under PURA § 36.112(d) and 16 TAC § 25.246(b)(4)(B) is extended by 45 days—for a total of 195 days—for a rate application that uses an Updated Test Year.

⁶ PURA § 36.211.

V. Proposed Notice

SPS will provide notice in accordance with PURA § 36.103 and 16 TAC §§ 22.51(a). The proposed notice is provided in RFP Schedule T and as Attachment A to this application. SPS requests that the Commission approve SPS's proposed method and form of notice.

VI. Supporting Documentation

In support of this application, SPS has filed: (i) Schedules A through W, with related workpapers, as required by the RFP, except for where waivers were requested; (ii) an Executive Summary, as required by the RFP; and (iii) written testimony of its witnesses with attachments and workpapers.

VII. Summary of Proposed Rate Changes

The Test Year for this base rate case is the historical 12-month period from October 1, 2019 through September 30, 2020. As allowed under PURA § 36.112 and 16 TAC § 25.246, SPS is providing information for that Test Year in its initial testimony, attachments, and schedules, plus estimates for an Update Period of October 1, 2020 through December 31, 2020. In accordance with PURA § 36.112(d) and 16 TAC § 25.246(b)(4)(A), SPS will supplement its initial filing by replacing the estimates with actual information not later than the 45th day after the date the initial filing was made. Accordingly, SPS will replace the Update Period estimates within that 45-day timeframe with actual information through December 31, 2020 for every component of its cost of service that changed, including flow-through effects and attendant impacts of changes. Thus, in effect, SPS's application is based on the historical Updated Test Year of January 1, 2020 through December 31, 2020. SPS is also requesting several known and measurable adjustments to the Updated Test Year information, as allowed under PURA § 36.112(e) and 16 TAC §§ 25.231 and 25.246(b)(5).

SPS requests that the Commission approve an overall increase in base revenues of \$143,365,836 on an annual basis, an increase of 23.0% in overall rates based upon Updated Test Year revenues. This requested amount reflects a requested overall rate of return of 7.56%, which is composed of an equity ratio of 54.60%, a rate of return on common equity of 10.35%, and a cost of debt of 4.20%. The requested base rate increase combined with the expected fuel savings noted

below results in a total Texas retail revenue impact of \$74,023,612 annually, or 9.2%. Based on the requested base rate increase (excluding the expected fuel savings), the average Residential Service customer using 1,000 kilowatt-hours of energy per month will see an overall base tariff increase of 13.57%, compared to the base rates established in Docket No. 49831. After taking into account the reduction in fuel costs, the net incremental increase over current rates for a typical Residential Service customer will be 6.71%. A bill comparison showing the effect of the base rate change on each of SPS's customer classes is provided as Attachment B to this application.

SPS's requested base rate increase is necessary to allow SPS a reasonable opportunity to earn a reasonable return on invested capital used and useful to SPS's Texas retail customers, as required by PURA § 36.051. Since its last base rate case, SPS has continued its tradition of providing safe, reliable, and cost-effective service to its Texas retail customers. To continue that tradition, SPS has also invested more than \$1.75 billion in new capital investment, including the \$858 million Sagamore Wind Project, which was placed in service in December 2020. This new 522 megawatt ("MW") renewable resource is delivering on its promise to provide value to customers in the form of low-cost, carbon-free energy that not only conserves the region's precious groundwater, but also powers economic growth and creates jobs. The new fuel factor formula proposed in Docket No. 51625 incorporates the savings from the Sagamore Wind Project as well as the flow back of Production Tax Credits ("PTCs") to customers and results in approximately \$69 million in fuel savings on an annual basis.

In this case, SPS is providing a Technical Depreciation Update, which updates the information provided in the complete depreciation study that SPS provided in Docket No. 49831, and proposes shorter service lives for Tolk Units 1 and 2, the coal-specific assets at Harrington, and Plant X3. The Technical Depreciation Update supports the need to increase depreciation expense and shorten the service lives of several of SPS's generating units, including the Tolk units that are fueled by coal. It is necessary to retire these Tolk units at December 31, 2032, because there will be insufficient water to operate the plant after that date. SPS seeks to fully depreciate the coal-specific assets at Harrington by December 31, 2024 to comply with ambient air quality standards. SPS's proposal to retire and fully depreciate Plant X3 by December 31, 2022 is based on recent analyses showing that it would not be cost-effective to return that plant to service.

In addition, LP&L is expected to substantially reduce its transmission demand on SPS's system when LP&L transitions a significant portion of its load to the ERCOT system by June 1, 2021, pursuant to the Commission's final order in Docket No. 47576. LP&L's departure from SPS's system will increase the transmission costs that are allocated to SPS's retail customers, including those in Texas. Therefore, it is appropriate to reflect the transmission demand jurisdictional allocation impact as a known and measurable change in this proceeding.

VIII. Request for Waivers of RFP Requirements

Schedules Related to Fuel Reconciliation and Other Costs Not at Issue

SPS is not filing a fuel reconciliation as part of this case because the Commission amended 16 TAC § 25.236 to eliminate the requirement that a utility file a fuel reconciliation as part of a base rate case. Accordingly, SPS is not seeking a change in its fuel factor under 16 TAC § 25.237. Consequently, as shown on RFP Schedule V, SPS requests waivers of the portions of the RFP schedules that require the utility to provide information related to fuel reconciliation proceedings or a rate year. Certain other schedules also seek information related to costs not at issue in this proceeding. SPS requests waivers of those portions of the RFP as well, as listed on Schedule V of the RFP.

Updated Test Year Data in Lieu of Test Year Data

SPS is using billing determinants for the Updated Test Year, rather than the Test Year, to allocate costs among the Texas retail classes and to design rates. For this reason, SPS requests a waiver to provide Updated Test Year data rather than Test Year data in certain schedules, as listed on Schedule V.

IX. Confidentiality and Protective Order

Some of the testimony, attachments, schedules, and workpapers filed supporting this application contain confidential protected or highly sensitive protected information. In accordance with the RFP and to protect this information, the documents containing confidential information include a statement to that effect. Additionally, in accordance with the RFP, the confidential or highly sensitive information has been deleted, redacted, or summarized as necessary to preserve confidentiality.

Copies of all confidential and highly sensitive information will be available, during normal business hours, at 401 Congress Avenue, Suite 2100, Austin, Texas, for parties who have executed the Protective Order adopted in this proceeding.

In addition to the confidential and highly sensitive material in SPS's initial filing, SPS may need to furnish in responses to requests for information, confidential or highly sensitive information, the disclosure of which to third parties would either place it at a severe competitive disadvantage or cause it to violate contractual confidentiality obligations.

The confidentiality agreement included as Schedule W to the RFP was developed many years ago when competitive pressures were not as intense as those that currently exist. The Commission has recognized the existence of these increased competitive pressures for many years and consequently has engaged in a practice of entering protective orders that contain dual levels of protected materials—confidential materials and those that are entitled to an even higher level of protection, highly sensitive protected materials. To conform to the Commission's established practice, SPS proposes to use the Commission's standard protective order as the basis for the protective order in this docket. Thus, SPS requests that the Commission enter a protective order in the form provided as Attachment C to this application and that, pending entry of the protective order, the parties treat the proposed protective order as a confidentiality agreement.

X. Conclusion and Prayer for Relief

For the reasons set out in this application, the accompanying testimony, and RFP schedules and workpapers, SPS requests that the Commission:

- (a) grant the relief set out in Section I of this application;
- (b) approve the effective dates and request for temporary rates set out in Section IV;
- (c) approve the proposed method and form of notice as described in Section V;
- (d) approve the waivers of the RFP requirements as set forth in Section VIII;
- (e) approve the proposed protective order presented in Section IX; and
- (f) grant SPS such other relief to which SPS may be entitled.

Respectfully submitted,

WINSTEAD PC
Ron H. Moss
State Bar No. 14591025
401 Congress Avenue, Suite 2100
Austin, Texas 78701
Office: (512) 370-2867
Facsimile: (512) 370-2850
e-mail: rhmos@winstead.com

EVERSHEDS SUTHERLAND (US) LLP
Lino Mendiola III
State Bar No. 00791248
Jeffrey B. Stuart
State Bar. No. 24066160
Michael Boldt
State Bar No. 24064918
600 Congress Avenue, Suite 2000
Austin, Texas 78701
Office: (512) 721-2700
Facsimile: (512) 721-2656
e-mail: linomeddiola@eversheds-sutherland.com
e-mail: jeffreystuart@eversheds-sutherland.com
e-mail: michaelboldt@eversheds-sutherland.com

/s/ Will DuBois
XCEL ENERGY SERVICES INC.
Francis W. DuBois
State Bar No. 24115340
Mark A. Walker
State Bar No. 20717318
XCEL ENERGY SERVICES INC.
919 Congress Ave., Ste. 900
Austin, Texas 78701-2471
Office: (512) 236-6923
Facsimile: (512) 236-6935
email: will.w.dubois@xcelenergy.com
email: mark.a.walker@xcelenergy.com

COURTNEY, COUNTISS, BRIAN & BAILEY, LLP
Amy M. Shelhamer
State Bar No. 24010392
600 S. Tyler, Suite 1700
Amarillo, Texas 79101
Office: (806) 372-5569
Facsimile: (806) 372-9761
e-mail: ashelhamer@courtneylawfirm.com

HINKLE SHANOR LLP
Dana S. Hardy*
Post Office Box 2068
Santa Fe, NM 87504-2068
Office: (505) 982-4554
Facsimile: (505) 982-8623
email: dhardy@hinklelawfirm.com
* To be admitted Pro Hac Vice

ATTORNEYS FOR
SOUTHWESTERN PUBLIC SERVICE COMPANY

Docket No. _____

Southwestern Public Service Company's
Statement of Intent and Application
for Authority to Change Rates

-12-

Proposed Form of Notice

Notice of Rate Change Request

Public Notice of

**Filing by Southwestern Public Service Company, doing business as Xcel Energy, of
Statement of Intent and Application for Authority to Change Rates**

On February 8, 2021, Southwestern Public Service Company (“SPS”), doing business as Xcel Energy, filed a statement of intent and application for authority to change rates (“Application”) with the Public Utility Commission of Texas (“Commission”) and with each Texas municipality that has original jurisdiction over SPS’s electric rates.

SPS has 271,393 Texas retail customers. All customers in each of SPS’s Texas retail customer classes will be affected by the relief requested in this Application.

Statement of Intent to Change Rates

SPS requests that the Commission approve an overall increase in annual base rate revenues of \$143,365,836 which represents an increase of 23% in base rate revenues (the portion of the bill not including fuel costs and rate riders) and an increase of 9.2% in overall adjusted revenues. The effect of the proposed rate change on individual customer classes is set forth in the section entitled “Effect on Customer Classes” below.

SPS’s proposed effective date for this rate change is 35 days after the date of this filing, which is March 15, 2021. That proposed effective date is subject to suspension and extension by actions of the Commission or other regulatory authorities. Consistent with the settlement in Docket No. 46936, SPS is also requesting that the Commission make SPS’s current rates temporary rates on the 35th day after the date the Application was filed, which is March 15, 2021 (“Temporary Rate Date”). As part of this request, SPS requests that the final rates set in this case be applied to usage on and after the Temporary Rate Date.

Effect on Customer Classes

The average Residential Service customer using 1,000 kilowatt-hours of energy per month will see an increase in base rates (the portion of the bill not including fuel costs and rate riders) of \$13.22 per month, or 13.57%, which results in an overall increase of 6.71%, compared to the rates established in SPS’s last base rate case.

The following table presents the percentage annual revenue increases, by type of service, under the proposed rates in this proceeding:

Applicable Service	\$143,365,787 Increase		
	Base Rate Increase/(Decrease) (\$)	Base Rate Increase/(Decrease) (%)	Overall Bill Increase/(Decrease) (%)*
Residential Service	\$ 30,652,441	12.81%	6.7%
Small General Service	3,101,151	13.35%	5.6%
Secondary General Service	21,098,228	17.38%	5.9%
Primary General Service	16,849,292	24.68%	6.0%
Large General Service – Transmission	63,322,103	44.56%	11.7%
Small Municipal and School Service	552,080	43.24%	25.1%
Large Municipal Service	3,218,571	38.0%	17.8%
Large School Service	4,099,552	45.17%	27.0%
Municipal and State Street Lighting	1,194,019	25.09%	20.7%
Guard and Flood Lighting	(721,650)	-17.02%	-17.7%
Total	\$143,365,787	23.04%	

* Includes fuel factor and energy efficiency cost recovery factor revenues.

Contact Information

Persons with questions or who want more information on this petition may contact SPS at 790 S. Buchanan St., Amarillo, Texas 79101, or call 1-800-895-4999 during normal business hours. A complete copy of this Application is available for inspection at the address listed in the previous sentence.

Persons who wish to intervene in or comment upon these proceedings should notify the Commission as soon as possible, as an intervention deadline will be imposed. The deadline for intervention in the proceeding is 45 days after the date the Application was filed with the Commission, which makes the intervention deadline Thursday, March 25, 2021. A request to intervene or for further information should refer to Docket No. _____. A request to intervene or for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326. Further information also may be obtained by calling the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the Commission at (512) 936-7136.

Due to the COVID-19 pandemic, the preferred method for you to file your request for intervention or comments on the Application is electronically, and you will be required to serve the request on other parties by email. Therefore, please include your own email address (and/or fax number if available) on the intervention request. Instructions for electronic filings via the “PUC Filer” on the Commission’s website can be found at: <https://interchange.puc.texas.gov/filer>. Instructions for using the PUC Filer are available at: http://www.puc.texas.gov/industry/filings/New_PUC_Web_Filer_Presentation.pdf. Once you obtain a tracking sheet associated with your filing from the PUC Filer, you may email the tracking sheet and the document you wish to file to: centralrecords@puc.texas.gov. For assistance with your electronic filing, please contact the Commission’s Help Desk at (512) 936-7100 or helpdesk@puc.texas.gov. You can review materials filed in this docket on the PUC Interchange at: <http://interchange.puc.texas.gov/>.

Small Municipal and School Service

Average Monthly Consumption: 550 kWh

		Without Sagamore	Current Rates	Proposed Rates	Difference				
Service Availability Charge			\$ 13.25	\$ 14.40	1.15				
Energy Charge per kWh	Summer		\$ 0.045273	\$ 0.073116	0.027843				
Energy Charge per kWh	Winter		\$ 0.039015	\$ 0.063509	0.024494				
Energy Efficiency Cost Recovery Factor per kWh			\$ 0.004519	\$ 0.004519	-				
Rate Case Expense (RCE) Rider II percent of Base Rate			0.197973%	0.197973%	-				
Fuel Factor per kWh	Summer	\$ 0.019482	\$ 0.014159	\$ 0.014159	-				
Fuel Factor per kWh	Winter	\$ 0.019482	\$ 0.014159	\$ 0.014159	-				
TCRF per kWh			\$ -	\$ -	-				
kWh Level		100	250	550	750	1000	1500	2000	3000

Current Bill without Sagamore and Fuel Savings:

Service Availability Charge	\$ 13.25	\$ 13.25	\$ 13.25	\$ 13.25	\$ 13.25	\$ 13.25	\$ 13.25	\$ 13.25	\$ 13.25
Energy Charge(Summer)	\$ 4.53	\$ 11.32	\$ 24.90	\$ 33.95	\$ 45.27	\$ 67.91	\$ 90.55	\$ 135.82	\$ 135.82
Energy Charge (Winter)	\$ 3.90	\$ 9.75	\$ 21.46	\$ 29.26	\$ 39.02	\$ 58.52	\$ 78.03	\$ 117.05	\$ 117.05
TCRF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Summer Base Rate Total	\$ 17.78	\$ 24.57	\$ 38.15	\$ 47.20	\$ 58.52	\$ 81.16	\$ 103.80	\$ 149.07	\$ 149.07
Winter Base Rate Total	\$ 17.15	\$ 23.00	\$ 34.71	\$ 42.51	\$ 52.27	\$ 71.77	\$ 91.28	\$ 130.30	\$ 130.30
Annualized Base Rate Total	\$ 17.36	\$ 23.52	\$ 35.86	\$ 44.07	\$ 54.35	\$ 74.90	\$ 95.45	\$ 136.56	\$ 136.56
RCE Rider II (Summer)	\$ 0.04	\$ 0.05	\$ 0.08	\$ 0.09	\$ 0.12	\$ 0.16	\$ 0.21	\$ 0.30	\$ 0.30
RCE Rider II (Winter)	\$ 0.03	\$ 0.05	\$ 0.07	\$ 0.08	\$ 0.10	\$ 0.14	\$ 0.18	\$ 0.26	\$ 0.26
Energy Efficiency Cost Recovery Factor	\$ 0.45	\$ 1.13	\$ 2.49	\$ 3.39	\$ 4.52	\$ 6.78	\$ 9.04	\$ 13.56	\$ 13.56
Current Fuel Factor (Summer)	\$ 1.95	\$ 4.87	\$ 10.72	\$ 14.61	\$ 19.48	\$ 29.22	\$ 38.96	\$ 58.45	\$ 58.45
Current Fuel Factor (Winter)	\$ 1.95	\$ 4.87	\$ 10.72	\$ 14.61	\$ 19.48	\$ 29.22	\$ 38.96	\$ 58.45	\$ 58.45
Total Cost (Summer)	\$ 20.22	\$ 30.62	\$ 51.44	\$ 65.29	\$ 82.64	\$ 117.32	\$ 152.01	\$ 221.38	\$ 221.38
Total Cost (Winter)	\$ 19.58	\$ 29.05	\$ 47.99	\$ 60.59	\$ 76.37	\$ 107.91	\$ 139.46	\$ 202.57	\$ 202.57
Total Cost (Annualized)	\$ 19.79	\$ 29.57	\$ 49.14	\$ 62.16	\$ 78.46	\$ 111.05	\$ 143.64	\$ 208.84	\$ 208.84

Proposed Bill with Sagamore and Fuel Savings:

Service Availability Charge	\$ 14.40	\$ 14.40	\$ 14.40	\$ 14.40	\$ 14.40	\$ 14.40	\$ 14.40	\$ 14.40	\$ 14.40
Energy Charge(Summer)	\$ 7.31	\$ 18.28	\$ 40.21	\$ 54.84	\$ 73.12	\$ 109.67	\$ 146.23	\$ 219.35	\$ 219.35
Energy Charge (Winter)	\$ 6.35	\$ 15.88	\$ 34.93	\$ 47.63	\$ 63.51	\$ 95.26	\$ 127.02	\$ 190.53	\$ 190.53
TCRF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Summer Base Rate Total	\$ 21.71	\$ 32.68	\$ 54.61	\$ 69.24	\$ 87.52	\$ 124.07	\$ 160.63	\$ 233.75	\$ 233.75
Winter Base Rate Total	\$ 20.75	\$ 30.28	\$ 49.33	\$ 62.03	\$ 77.91	\$ 109.66	\$ 141.42	\$ 204.93	\$ 204.93
Annualized Base Rate Total	\$ 21.07	\$ 31.08	\$ 51.09	\$ 64.43	\$ 81.11	\$ 114.46	\$ 147.82	\$ 214.54	\$ 214.54
RCE Rider II (Summer)	\$ 0.04	\$ 0.06	\$ 0.11	\$ 0.14	\$ 0.17	\$ 0.25	\$ 0.32	\$ 0.46	\$ 0.46
RCE Rider II (Winter)	\$ 0.04	\$ 0.06	\$ 0.10	\$ 0.12	\$ 0.15	\$ 0.22	\$ 0.28	\$ 0.41	\$ 0.41
Energy Efficiency Cost Recovery Factor	\$ 0.45	\$ 1.13	\$ 2.49	\$ 3.39	\$ 4.52	\$ 6.78	\$ 9.04	\$ 13.56	\$ 13.56
Current Fuel Factor (Summer)	\$ 1.42	\$ 3.54	\$ 7.79	\$ 10.62	\$ 14.16	\$ 21.24	\$ 28.32	\$ 42.48	\$ 42.48
Current Fuel Factor (Winter)	\$ 1.42	\$ 3.54	\$ 7.79	\$ 10.62	\$ 14.16	\$ 21.24	\$ 28.32	\$ 42.48	\$ 42.48
Total Cost (Summer)	\$ 23.62	\$ 37.41	\$ 65.00	\$ 83.39	\$ 106.37	\$ 152.34	\$ 198.31	\$ 290.25	\$ 290.25
Total Cost (Winter)	\$ 22.66	\$ 35.01	\$ 59.71	\$ 76.16	\$ 96.74	\$ 137.90	\$ 179.06	\$ 261.38	\$ 261.38
Total Cost (Annualized)	\$ 22.98	\$ 35.81	\$ 61.47	\$ 78.57	\$ 99.95	\$ 142.71	\$ 185.48	\$ 271.00	\$ 271.00

Total Bill

Dollar Change (Summer)	\$ 3.40	\$ 6.79	\$ 13.56	\$ 18.10	\$ 23.73	\$ 35.02	\$ 46.30	\$ 68.87	\$ 68.87
Dollar Change (Winter)	\$ 3.08	\$ 5.96	\$ 11.72	\$ 15.57	\$ 20.37	\$ 29.99	\$ 39.60	\$ 58.81	\$ 58.81
Dollar Change (Annualized)	\$ 3.19	\$ 6.24	\$ 12.33	\$ 16.41	\$ 21.49	\$ 31.67	\$ 41.83	\$ 62.16	\$ 62.16
Percent Change (Summer)	16.82%	22.18%	26.36%	27.72%	28.71%	29.85%	30.46%	31.11%	31.11%
Percent Change (Winter)	15.73%	20.52%	24.42%	25.70%	26.67%	27.79%	28.40%	29.03%	29.03%
Percent Change (Annualized)	16.10%	21.09%	25.10%	26.41%	27.39%	28.52%	29.12%	29.77%	29.77%

Base Rates

Dollar Change (Summer)	\$ 3.93	\$ 8.11	\$ 16.46	\$ 22.04	\$ 29.00	\$ 42.91	\$ 56.83	\$ 84.68	\$ 84.68
Dollar Change (Winter)	\$ 3.60	\$ 7.28	\$ 14.62	\$ 19.52	\$ 25.64	\$ 37.89	\$ 50.14	\$ 74.63	\$ 74.63
Dollar Change (Annualized)	\$ 3.71	\$ 7.56	\$ 15.23	\$ 20.36	\$ 26.76	\$ 39.56	\$ 52.37	\$ 77.98	\$ 77.98
Percent Change (Summer)	22.10%	33.01%	43.15%	46.69%	49.56%	52.87%	54.75%	56.81%	56.81%
Percent Change (Winter)	20.99%	31.65%	42.12%	45.92%	49.05%	52.79%	54.93%	57.28%	57.28%
Percent Change (Annualized)	21.37%	32.12%	42.48%	46.20%	49.23%	52.82%	54.86%	57.10%	57.10%

Docket No. _____

Southwestern Public Service Company's
Statement of Intent and Application
for Authority to Change Rates

Large Municipal Service - Secondary
Average Monthly Consumption: 16,500 kWh; 54 kW

		Without Sagamore	Current Rates	Proposed Rates	Difference
Service Availability Charge			\$ 25.20	\$ 25.20	-
Energy Charge per kWh			\$ 0.011081	\$ 0.017443	0.006362
Demand Charge per kW	Summer		\$ 11.86	\$ 15.58	3.72
Demand Charge per kW	Winter		\$ 9.89	\$ 12.99	3.10
Energy Efficiency Cost Recovery Factor per kWh			\$ 0.000296	\$ 0.000296	-
Rate Case Expense (RCE) Rider II percent of Base Rate			0.198119%	0.198119%	-
Fuel Factor per kWh	Summer	\$ 0.019482	\$ 0.014159	\$ 0.014159	-
Fuel Factor per kWh	Winter	\$ 0.019482	\$ 0.014159	\$ 0.014159	-
TCRF per kW		\$ -	\$ -	\$ -	-

kWh Level	1000	2500	5000	7500	10000	16500	20000	30000
kW Level	10	10	17	25	33	54	67	100

10 kW minimum for LMS

Current Bill without Sagamore and Fuel Savings:

Service Availability Charge	\$25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20
Demand Charge (Summer)	\$ 118.60	\$ 118.60	\$ 197.67	\$ 296.50	\$ 395.33	\$ 640.44	\$ 790.67	\$ 1,186.00
Demand Charge (Winter)	\$ 98.90	\$ 98.90	\$ 164.83	\$ 247.25	\$ 329.67	\$ 534.06	\$ 659.33	\$ 989.00
Energy Charge	\$ 11.08	\$ 27.70	\$ 55.41	\$ 83.11	\$ 110.81	\$ 182.84	\$ 221.62	\$ 332.43
TCRF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Base Rate Subtotal - Summer	\$ 154.88	\$ 171.50	\$ 278.28	\$ 404.81	\$ 531.34	\$ 848.48	\$ 1,037.49	\$ 1,543.63
Base Rate Subtotal - Winter	\$ 135.18	\$ 151.80	\$ 245.44	\$ 355.56	\$ 465.68	\$ 742.10	\$ 906.15	\$ 1,346.63
Annualized Base Rate Total	\$ 141.75	\$ 158.37	\$ 256.39	\$ 371.98	\$ 487.57	\$ 777.56	\$ 949.93	\$ 1,412.30
RCE Rider II (Summer)	\$ 0.31	\$ 0.34	\$ 0.55	\$ 0.80	\$ 1.05	\$ 1.68	\$ 2.06	\$ 3.06
RCE Rider II (Winter)	\$ 0.27	\$ 0.30	\$ 0.49	\$ 0.70	\$ 0.92	\$ 1.47	\$ 1.80	\$ 2.67
Energy Efficiency Cost Recovery Factor	\$ 0.30	\$ 0.74	\$ 1.48	\$ 2.22	\$ 2.96	\$ 4.88	\$ 5.92	\$ 8.88
Current Fuel Factor (Summer)	\$ 19.48	\$ 48.71	\$ 97.41	\$ 146.12	\$ 194.82	\$ 321.45	\$ 389.64	\$ 584.46
Current Fuel Factor (Winter)	\$ 19.48	\$ 48.71	\$ 97.41	\$ 146.12	\$ 194.82	\$ 321.45	\$ 389.64	\$ 584.46
Total Cost (Summer)	\$ 174.97	\$ 221.29	\$ 377.72	\$ 553.95	\$ 730.17	\$ 1,176.49	\$ 1,435.11	\$ 2,140.03
Total Cost (Winter)	\$ 155.23	\$ 201.55	\$ 344.82	\$ 504.60	\$ 664.38	\$ 1,069.90	\$ 1,303.51	\$ 1,942.64
Total Cost (Annualized)	\$ 161.81	\$ 208.13	\$ 355.79	\$ 521.05	\$ 686.31	\$ 1,105.43	\$ 1,347.38	\$ 2,008.44

Proposed Bill with Sagamore and Fuel Savings:

Service Availability Charge	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20	\$ 25.20
Demand Charge (Summer)	\$ 155.80	\$ 155.80	\$ 259.67	\$ 389.50	\$ 519.33	\$ 841.32	\$ 1,038.67	\$ 1,558.00
Demand Charge (Winter)	\$ 129.90	\$ 129.90	\$ 216.50	\$ 324.75	\$ 433.00	\$ 701.46	\$ 866.00	\$ 1,299.00
Energy Charge	\$ 17.44	\$ 43.61	\$ 87.22	\$ 130.82	\$ 174.43	\$ 287.81	\$ 348.86	\$ 523.29
TCRF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Base Rate Subtotal - Summer	\$ 198.44	\$ 224.61	\$ 372.09	\$ 545.52	\$ 718.96	\$ 1,154.33	\$ 1,412.73	\$ 2,106.49
Base Rate Subtotal - Winter	\$ 172.54	\$ 198.71	\$ 328.92	\$ 480.77	\$ 632.63	\$ 1,014.47	\$ 1,240.06	\$ 1,847.49
Annualized Base Rate Total	\$ 181.17	\$ 207.34	\$ 343.31	\$ 502.35	\$ 661.41	\$ 1,061.09	\$ 1,297.62	\$ 1,933.82
RCE Rider II (Summer)	\$ 0.39	\$ 0.44	\$ 0.74	\$ 1.08	\$ 1.42	\$ 2.29	\$ 2.80	\$ 4.17
RCE Rider II (Winter)	\$ 0.34	\$ 0.39	\$ 0.65	\$ 0.95	\$ 1.25	\$ 2.01	\$ 2.46	\$ 3.66
Energy Efficiency Cost Recovery Factor	\$ 0.30	\$ 0.74	\$ 1.48	\$ 2.22	\$ 2.96	\$ 4.88	\$ 5.92	\$ 8.88
Current Fuel Factor (Summer)	\$ 14.16	\$ 35.40	\$ 70.80	\$ 106.19	\$ 141.59	\$ 233.62	\$ 283.18	\$ 424.77
Current Fuel Factor (Winter)	\$ 14.16	\$ 35.40	\$ 70.80	\$ 106.19	\$ 141.59	\$ 233.62	\$ 283.18	\$ 424.77
Total Cost (Summer)	\$ 213.29	\$ 261.19	\$ 445.11	\$ 655.01	\$ 864.93	\$ 1,395.12	\$ 1,704.63	\$ 2,544.31
Total Cost (Winter)	\$ 187.34	\$ 235.24	\$ 401.85	\$ 590.13	\$ 778.43	\$ 1,254.98	\$ 1,531.62	\$ 2,284.80
Total Cost (Annualized)	\$ 195.99	\$ 243.89	\$ 416.27	\$ 611.76	\$ 807.26	\$ 1,301.69	\$ 1,589.29	\$ 2,371.30

Total Bill

Dollar Change (Summer)	\$ 38.32	\$ 39.90	\$ 67.39	\$ 101.06	\$ 134.76	\$ 218.63	\$ 269.52	\$ 404.28
Dollar Change (Winter)	\$ 32.11	\$ 33.69	\$ 57.03	\$ 85.53	\$ 114.05	\$ 185.08	\$ 228.11	\$ 342.16
Dollar Change (Annualized)	\$ 34.18	\$ 35.76	\$ 60.48	\$ 90.71	\$ 120.95	\$ 196.26	\$ 241.91	\$ 362.87

Percent Change (Summer)	21.90%	18.03%	17.84%	18.24%	18.46%	18.58%	18.78%	18.89%
Percent Change (Winter)	20.69%	16.72%	16.54%	16.95%	17.17%	17.30%	17.50%	17.61%
Percent Change (Annualized)	21.12%	17.18%	17.00%	17.41%	17.62%	17.75%	17.95%	18.07%

Base Rates

Dollar Change (Summer)	\$ 43.56	\$ 53.11	\$ 93.81	\$ 140.71	\$ 187.62	\$ 305.85	\$ 375.24	\$ 562.86
Dollar Change (Winter)	\$ 37.36	\$ 46.91	\$ 83.48	\$ 125.21	\$ 166.95	\$ 272.37	\$ 333.91	\$ 500.86
Dollar Change (Annualized)	\$ 39.43	\$ 48.98	\$ 86.92	\$ 130.38	\$ 173.84	\$ 283.53	\$ 347.69	\$ 521.53

Percent Change (Summer)	28.13%	30.97%	33.71%	34.76%	35.31%	36.05%	36.17%	36.46%
Percent Change (Winter)	27.64%	30.90%	34.01%	35.21%	35.85%	36.70%	36.85%	37.19%
Percent Change (Annualized)	27.81%	30.93%	33.90%	35.05%	35.65%	36.46%	36.60%	36.93%

Docket No. _____

Southwestern Public Service Company's
Statement of Intent and Application
for Authority to Change Rates

DOCKET NO. _____

APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY FOR §
AUTHORITY TO CHANGE RATES § OF TEXAS

PROTECTIVE ORDER

This Protective Order governs the use of all information deemed confidential (Protected Materials) or highly confidential (Highly Sensitive Protected Materials), including information whose confidentiality is currently under dispute, by a party providing information to the Public Utility Commission of Texas (Commission) or to any other party to this proceeding.

It is ORDERED that:

1. **Designation of Protected Materials.** Upon producing or filing a document, including, but not limited to, records on a computer disk or other similar electronic storage medium in this proceeding, the producing party may designate that document, or any portion of it, as confidential pursuant to this Protective Order by typing or stamping on its face “PROTECTED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. _____ ” (or words to this effect) and consecutively Bates Stamping each page. Protected Materials and Highly Sensitive Protected Materials include the documents so designated, as well as the substance of the information contained in the documents and any description, report, summary, or statement about the substance of the information contained in the documents.
2. **Materials Excluded from Protected Materials Designation.** Protected Materials must not include any information or document contained in the public files of the Commission or any other federal or state agency, court, or local governmental authority subject to the Public Information Act.¹ Protected Materials also must not include documents or information which at the time of, or prior to disclosure in, a proceeding is or was public knowledge, or which becomes public knowledge other than through disclosure in violation of this Protective Order.

¹ Tex. Gov’t Code § 552.001-.353.

3. **Reviewing Party.** For the purposes of this Protective Order, a “Reviewing Party” is any party to this docket.
4. **Procedures for Designation of Protected Materials.** On or before the date the Protected Materials or Highly Sensitive Protected Materials are provided to the Commission, the producing party is required to file with the Commission and deliver to each party to the proceeding a written statement, which may be in the form of an objection, indicating: (a) any exemptions to the Public Information Act claimed to apply to the alleged Protected Materials; (b) the reasons supporting the producing party’s claim that the responsive information is exempt from public disclosure under the Public Information Act and subject to treatment as protected materials; and (c) that counsel for the producing party has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act and merits the Protected Materials designation.
5. **Persons Permitted Access to Protected Materials.** Except as otherwise provided in this Protective Order, a Reviewing Party may access Protected Materials only through its “Reviewing Representatives” who have signed the Protective Order Certification Form (see Attachment A). Reviewing Representatives of a Reviewing Party include its counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by the Reviewing Party and directly engaged in this proceeding. At the request of the PUC Commissioners, copies of Protected Materials may be produced by Commission Staff. The Commissioners and their staff must be informed of the existence and coverage of this Protective Order and will observe the restrictions of the Protective Order.
6. **Highly Sensitive Protected Material Described.** The term “Highly Sensitive Protected Materials” is a subset of Protected Materials and refers to documents or information that a producing party claims is of such a highly sensitive nature that making copies of such documents or information or providing access to such documents to employees of the Reviewing Party (except as specified herein) would expose a producing party to unreasonable risk of harm. Highly Sensitive Protected Materials include but are not limited to: (a) customer-specific information protected by § 32.101(c) of the Public Utility

Regulatory Act;² (b) contractual information pertaining to contracts that specify that their terms are confidential or that are confidential pursuant to an order entered in litigation to which the producing party is a party; (c) market-sensitive fuel price forecasts, wholesale transactions information and/or market-sensitive marketing plans; and (d) business operations or financial information that is commercially sensitive. Documents or information so classified by a producing party must bear the designation “HIGHLY SENSITIVE PROTECTED MATERIALS PROVIDED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. _____ (or words to this effect) and must be consecutively Bates Stamped. The provisions of this Protective Order pertaining to Protected Materials also apply to Highly Sensitive Protected Materials, except where this Protective Order provides for additional protections for Highly Sensitive Protected Materials. In particular, the procedures herein for challenging the producing party’s designation of information as Protected Materials also apply to information that a producing party designates as Highly Sensitive Protected Materials.

7. **Restrictions on Copying and Inspection of Highly Sensitive Protected Material.**

Except as expressly provided herein, only one copy may be made of any Highly Sensitive Protected Materials except that additional copies may be made to have sufficient copies for introduction of the material into the evidentiary record if the material is to be offered for admission into the record. The Reviewing Party is required to maintain a record of all copies made of Highly Sensitive Protected Material and must send a duplicate of the record to the producing party when the copy or copies are made. The record must specify the location and the person possessing the copy. Highly Sensitive Protected Material must be made available for inspection only at the location or locations provided by the producing party, except as specified by Paragraph 9. Limited notes may be made of Highly Sensitive Protected Materials, and such notes must themselves be treated as Highly Sensitive Protected Materials unless such notes are limited to a description of the document and a general characterization of its subject matter in a manner that does not state any substantive information contained in the document.

² Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.016 (PURA).

8. **Restricting Persons Who May Have Access to Highly Sensitive Protected Material.**

With the exception of Commission Staff, the Office of the Attorney General (OAG), and the Office of Public Utility Counsel (OPC), and except as provided herein, the Reviewing Representatives for the purpose of access to Highly Sensitive Protected Materials may be persons who are (a) outside counsel for the Reviewing Party, (b) outside consultants for the Reviewing Party working under the direction of Reviewing Party's counsel, or (c) employees of the Reviewing Party working with and under the direction of Reviewing Party's counsel who have been authorized by the presiding officer to review Highly Sensitive Protected Materials. The Reviewing Party must limit the number of Reviewing Representatives that review Highly Sensitive Protected Materials to the minimum number of persons necessary. The Reviewing Party is under a good faith obligation to limit access to each portion of any Highly Sensitive Protected Materials to two Reviewing Representatives whenever possible. Reviewing Representatives for Commission Staff, OAG, and OPC, for the purpose of access to Highly Sensitive Protected Materials, must consist of their respective counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by them and directly engaged in these proceedings.

9. **Copies Provided of Highly Sensitive Protected Material.** A producing party is required to provide one copy of Highly Sensitive Protected Materials specifically requested by the Reviewing Party to the person designated by the Reviewing Party who must be a person authorized to review Highly Sensitive Protected Material under Paragraph 8. Representatives of the Reviewing Party who are authorized to view Highly Sensitive Protected Material may review the copy of Highly Sensitive Protected Materials at the office of the Reviewing Party's representative designated to receive the information. Any Highly Sensitive Protected Materials provided to a Reviewing Party may not be copied except as provided in Paragraph 7. The restrictions contained herein do not apply to Commission Staff, OPC, and the OAG when the OAG is representing a party to the proceeding.

10. **Procedures in Paragraphs 10-14 Apply to Commission Staff, OPC, and the OAG and Control in the Event of Conflict.** The procedures in Paragraphs 10 through 14 apply to responses to requests for documents or information that the producing party designates as Highly Sensitive Protected Materials and provides to Commission Staff, OPC, and the OAG in recognition of their purely public functions. To the extent the requirements of Paragraphs 10 through 14 conflict with any requirements contained in other paragraphs of this Protective Order, the requirements of these Paragraphs control.
11. **Copy of Highly Sensitive Protected Material to be Provided to Commission Staff, OPC and the OAG.** When, in response to a request for information by a Reviewing Party, the producing party makes available for review documents or information claimed to be Highly Sensitive Protected Materials, the producing party is required to also deliver one copy of the Highly Sensitive Protected Materials to the Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) in Austin, Texas. Provided however, that in the event such Highly Sensitive Protected Materials are voluminous, the materials will be made available for review by Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) at the designated office in Austin, Texas. The Commission Staff, OPC (if OPC is a party) and the OAG (if the OAG is representing a party) may request such copies as are necessary of such voluminous material under the copying procedures specified herein.
12. **Delivery of the Copy of Highly Sensitive Protected Material to Commission Staff and Outside Consultants.** The Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive Protected Materials received by them to the appropriate members of their staff for review, provided such staff members first sign the certification specified by Paragraph 15. After obtaining the agreement of the producing party, Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive Protected Materials received by it to the agreed, appropriate members of their outside consultants for review, provided such outside consultants first sign the certification in Attachment A.

13. **Restriction on Copying by Commission Staff, OPC and the OAG.** Except as allowed by Paragraph 7, Commission Staff, OPC and the OAG may not make additional copies of the Highly Sensitive Protected Materials furnished to them unless the producing party agrees in writing otherwise, or, upon a showing of good cause, the presiding officer directs otherwise. Commission Staff, OPC, and the OAG may make limited notes of Highly Sensitive Protected Materials furnished to them, and all such handwritten notes will be treated as Highly Sensitive Protected Materials as are the materials from which the notes are taken.
14. **Public Information Requests.** In the event of a request for any of the Highly Sensitive Protected Materials under the Public Information Act, an authorized representative of the Commission, OPC, or the OAG may furnish a copy of the requested Highly Sensitive Protected Materials to the Open Records Division at the OAG together with a copy of this Protective Order after notifying the producing party that such documents are being furnished to the OAG. Such notification may be provided simultaneously with the delivery of the Highly Sensitive Protected Materials to the OAG.
15. **Required Certification.** Each person who inspects the Protected Materials must, before such inspection, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket, and that I have been given a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials must not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC will be used only for the purpose of the proceeding in Docket No. _____. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information contained in the Protected Materials is obtained from independent public sources, the understanding stated herein must not apply.

In addition, Reviewing Representatives who are permitted access to Highly Sensitive Protected Material under the terms of this Protective Order must, before inspection of such

material, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

The Reviewing Party is required to provide a copy of each signed certification to Counsel for the producing party and serve a copy upon all parties of record.

16. **Disclosures between Reviewing Representatives and Continuation of Disclosure Restrictions after a Person is no Longer Engaged in the Proceeding.** Any Reviewing Representative may disclose Protected Materials, other than Highly Sensitive Protected Materials, to any other person who is a Reviewing Representative provided that, if the person to whom disclosure is to be made has not executed and provided for delivery of a signed certification to the party asserting confidentiality, that certification must be executed prior to any disclosure. A Reviewing Representative may disclose Highly Sensitive Protected Material to other Reviewing Representatives who are permitted access to such material and have executed the additional certification required for persons who receive access to Highly Sensitive Protected Material. In the event that any Reviewing Representative to whom Protected Materials are disclosed ceases to be engaged in these proceedings, access to Protected Materials by that person must be terminated and all notes, memoranda, or other information derived from the protected material must either be destroyed or given to another Reviewing Representative of that party who is authorized pursuant to this Protective Order to receive the protected materials. Any person who has agreed to the foregoing certification is required to continue to be bound by the provisions of this Protective Order so long as it is in effect, even if no longer engaged in these proceedings.
17. **Producing Party to Provide One Copy of Certain Protected Material and Procedures for Making Additional Copies of Such Materials.** Except for Highly Sensitive Protected Materials, which must be provided to the Reviewing Parties under Paragraph 9, and voluminous Protected Materials, the producing party is required to provide a Reviewing Party one copy of the Protected Materials upon receipt of the signed certification described in Paragraph 15. Except for Highly Sensitive Protected Materials, a Reviewing Party may

- make further copies of Protected Materials for use in this proceeding according to this Protective Order, but a record must be maintained as to the documents reproduced and the number of copies made, and upon request the Reviewing Party is required to provide the party asserting confidentiality with a copy of that record.
18. **Procedures Regarding Voluminous Protected Materials.** 16 Texas Administrative Code (TAC) § 22.144(h) will govern production of voluminous Protected Materials. Voluminous Protected Materials will be made available in the producing party's voluminous room, in Austin, Texas, or at a mutually agreed upon location, Monday through Friday, 9:00 a.m. to 5:00 p.m. (except on state or Federal holidays), and at other mutually convenient times upon reasonable request.
 19. **Reviewing Period Defined.** The Protected Materials may be reviewed only during the Reviewing Period, which will commence upon entry of this Protective Order and continue until the expiration of the Commission's plenary jurisdiction. The Reviewing Period will reopen if the Commission regains jurisdiction due to a remand as provided by law. Protected materials that are admitted into the evidentiary record or accompanying the evidentiary record as offers of proof may be reviewed throughout the pendency of this proceeding and any appeals.
 20. **Procedures for Making Copies of Voluminous Protected Materials.** Other than Highly Sensitive Protected Materials, Reviewing Parties may take notes regarding the information contained in voluminous Protected Materials made available for inspection or they may make photographic, mechanical or electronic copies of the Protected Materials, subject to the conditions in this Protective Order; provided, however, that before photographic, mechanical or electronic copies may be made, the Reviewing Party seeking photographic, mechanical or electronic copies must provide written confirmation of the receipt of copies listed on Attachment B of this Protective Order identifying each piece of Protected Materials or portions thereof the Reviewing Party will need.
 21. **Protected Materials to be Used Solely for the Purposes of These Proceedings.** All Protected Materials must be made available to the Reviewing Parties and their Reviewing Representatives solely for the purposes of these proceedings. Access to the Protected Materials may not be used in the furtherance of any other purpose, including, without

limitation: (a) any other pending or potential proceeding involving any claim, complaint, or other grievance of whatever nature, except appellate review proceedings that may arise from or be subject to these proceedings; or (b) any business or competitive endeavor of whatever nature. Because of their statutory regulatory obligations, these restrictions do not apply to Commission Staff or OPC.

22. **Procedures for Confidential Treatment of Protected Materials and Information Derived from Those Materials.** Protected Materials, as well as a Reviewing Party's notes, memoranda, or other information regarding or derived from the Protected Materials are to be treated confidentially by the Reviewing Party and must not be disclosed or used by the Reviewing Party except as permitted and provided in this Protective Order. Information derived from or describing the Protected Materials must be maintained in a secure place and must not be placed in the public or general files of the Reviewing Party except in accordance with the provisions of this Protective Order. A Reviewing Party must take all reasonable precautions to insure that the Protected Materials including notes and analyses made from Protected Materials that disclose Protected Materials are not viewed or taken by any person other than a Reviewing Representative of a Reviewing Party.
23. **Procedures for Submission of Protected Materials.** If a Reviewing Party tenders for filing any Protected Materials, including Highly Sensitive Protected Materials, or any written testimony, exhibit, brief, motion or other type of pleading or other submission at the Commission or before any other judicial body that quotes from Protected Materials or discloses the content of Protected Materials, the confidential portion of such submission must be filed and served in sealed envelopes or other appropriate containers endorsed to the effect that they contain Protected Material or Highly Sensitive Protected Material and are sealed pursuant to this Protective Order. If filed at the Commission, such documents must be marked "PROTECTED MATERIAL" and must be filed under seal with the presiding officer and served under seal to the counsel of record for the Reviewing Parties. The presiding officer may subsequently, on his/her own motion or on motion of a party, issue a ruling respecting whether or not the inclusion, incorporation or reference to Protected Materials is such that such submission should remain under seal. If filing before a judicial body, the filing party: (a) must notify the party which provided the information

within sufficient time so that the producing party may seek a temporary sealing order; and (b) must otherwise follow the procedures in Rule 76a, Texas Rules of Civil Procedure.

24. **Maintenance of Protected Status of Materials during Pendency of Appeal of Order Holding Materials are not Protected Materials.** In the event that the presiding officer at any time in the course of this proceeding finds that all or part of the Protected Materials are not confidential or proprietary, by finding, for example, that such materials have entered the public domain or materials claimed to be Highly Sensitive Protected Materials are only Protected Materials, those materials will nevertheless be subject to the protection afforded by this Protective Order for three (3) full working days, unless otherwise ordered, from the date the party asserting confidentiality receives notice of the presiding officer's order. Such notification will be by written communication. This provision establishes a deadline for appeal of a presiding officer's order to the Commission. In the event an appeal to the Commissioners is filed within those three (3) working days from notice, the Protected Materials must be afforded the confidential treatment and status provided in this Protective Order during the pendency of such appeal. Neither the party asserting confidentiality nor any Reviewing Party waives its right to seek additional administrative or judicial remedies after the Commission's denial of any appeal.
25. **Notice of Intent to Use Protected Materials or Change Materials Designation.** Parties intending to use Protected Materials must notify the other parties prior to offering them into evidence or otherwise disclosing such information into the record of the proceeding. During the pendency of Docket No. _____ at the Commission, in the event that a Reviewing Party wishes to disclose Protected Materials to any person to whom disclosure is not authorized by this Protective Order, or wishes to have changed the designation of certain information or material as Protected Materials by alleging, for example, that such information or material has entered the public domain, such Reviewing Party must first file and serve on all parties written notice of such proposed disclosure or request for change in designation, identifying with particularity each of such Protected Materials. A Reviewing Party will at any time be able to file a written motion to challenge the designation of information as Protected Materials.

26. **Procedures to Contest Disclosure or Change in Designation.** In the event that the party asserting confidentiality wishes to contest a proposed disclosure or request for change in designation, the party asserting confidentiality must file with the appropriate presiding officer its objection to a proposal, with supporting affidavits, if any, within five (5) working days after receiving such notice of proposed disclosure or change in designation. Failure of the party asserting confidentiality to file such an objection within this period will be deemed a waiver of objection to the proposed disclosure or request for change in designation. Within five (5) working days after the party asserting confidentiality files its objection and supporting materials, the party challenging confidentiality may respond. Any such response must include a statement by counsel for the party challenging such confidentiality that he or she has reviewed all portions of the materials in dispute and, without disclosing the Protected Materials, a statement as to why the Protected Materials should not be held to be confidential under current legal standards, or that the party asserting confidentiality for some reason did not allow such counsel to review such materials. If either party wishes to submit the material in question for in camera inspection, it must do so no later than five (5) working days after the party challenging confidentiality has made its written filing.
27. **Procedures for Presiding Officer Determination Regarding Proposed Disclosure or Change in Designation.** If the party asserting confidentiality files an objection, the appropriate presiding officer will determine whether the proposed disclosure or change in designation is appropriate. Upon the request of either the producing or Reviewing Party or upon the presiding officer's own initiative, the presiding officer may conduct a prehearing conference. The burden is on the party asserting confidentiality to show that such proposed disclosure or change in designation should not be made. If the presiding officer determines that such proposed disclosure or change in designation should be made, disclosure must not take place earlier than three (3) full working days after such determination unless otherwise ordered. No party waives any right to seek additional administrative or judicial remedies concerning such presiding officer's ruling.
28. **Maintenance of Protected Status during Periods Specified for Challenging Various Orders.** Any party electing to challenge, in the courts of this state, a Commission or

presiding officer determination allowing disclosure or a change in designation will have a period of ten (10) days from: (a) the date of an unfavorable Commission order; or (b) if the Commission does not rule on an appeal of an interim order, the date an appeal of an interim order to the Commission is overruled by operation of law, to obtain a favorable ruling in state district court. Any party challenging a state district court determination allowing disclosure or a change in designation will have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from a state appeals court. Finally, any party challenging a determination of a state appeals court allowing disclosure or a change in designation will have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from the state supreme court, or other appellate court. All Protected Materials must be afforded the confidential treatment and status provided for in this Protective Order during the periods for challenging the various orders referenced in this paragraph. For purposes of this paragraph, a favorable ruling of a state district court, state appeals court, Supreme Court or other appellate court includes any order extending the deadlines in this paragraph.

29. **Other Grounds for Objection to Use of Protected Materials Remain Applicable.** Nothing in this Protective Order precludes any party from objecting to the use of Protected Materials on grounds other than confidentiality, including the lack of required relevance. Nothing in this Protective Order constitutes a waiver of the right to argue for more disclosure, provided, however, that unless the Commission or a court orders such additional disclosure, all parties will abide by the restrictions imposed by the Protective Order.
30. **Protection of Materials from Unauthorized Disclosure.** All notices, applications, responses or other correspondence must be made in a manner which protects Protected Materials from unauthorized disclosure.
31. **Return of Copies of Protected Materials and Destruction of Information Derived from Protected Materials.** Following the conclusion of these proceedings, each Reviewing Party must, no later than thirty (30) days following receipt of the notice described below, return to the party asserting confidentiality all copies of the Protected Materials provided by that party pursuant to this Protective Order and all copies reproduced by a Reviewing Party, and counsel for each Reviewing Party must provide to the party

asserting confidentiality a letter by counsel that, to the best of his or her knowledge, information, and belief, all copies of notes, memoranda, and other documents regarding or derived from the Protected Materials (including copies of Protected Materials) that have not been so returned, if any, have been destroyed, other than notes, memoranda, or other documents which contain information in a form which, if made public, would not cause disclosure of the substance of Protected Materials. As used in this Protective Order, “conclusion of these proceedings” refers to the exhaustion of available appeals, or the running of the time for the making of such appeals, as provided by applicable law. If, following any appeal, the Commission conducts a remand proceeding, then the “conclusion of these proceedings” is extended by the remand to the exhaustion of available appeals of the remand, or the running of the time for making such appeals of the remand, as provided by applicable law. Promptly following the conclusion of these proceedings, counsel for the party asserting confidentiality will send a written notice to all other parties, reminding them of their obligations under this Paragraph. Nothing in this Paragraph prohibits counsel for each Reviewing Party from retaining two (2) copies of any filed testimony, brief, application for rehearing, hearing exhibit or other pleading which refers to Protected Materials provided that any such Protected Materials retained by counsel will remain subject to the provisions of this Protective Order.

32. **Applicability of Other Law.** This Protective Order is subject to the requirements of the Public Information Act, the Open Meetings Act,³ the Texas Securities Act⁴ and any other applicable law, provided that parties subject to those acts will notify the party asserting confidentiality, if possible under those acts, prior to disclosure pursuant to those acts. Such notice is not required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.

³ Tex. Gov’t Code § 551.001-.146.

⁴ Tex. Rev. Civ. Stat. Ann. arts. 581-1 to 581-43.

33. **Procedures for Release of Information under Order.** If required by order of a governmental or judicial body, the Reviewing Party may release to such body the confidential information required by such order; provided, however, that: (a) the Reviewing Party must notify the producing party of the order requiring the release of such information within five (5) calendar days of the date the Reviewing Party has notice of the order; (b) the Reviewing Party must notify the producing party at least five (5) calendar days in advance of the release of the information to allow the producing party to contest any release of the confidential information; and (c) the Reviewing Party must use its best efforts to prevent such materials from being disclosed to the public. The terms of this Protective Order do not preclude the Reviewing Party from complying with any valid and enforceable order of a state or federal court with competent jurisdiction specifically requiring disclosure of Protected Materials earlier than contemplated herein. The notice specified in this section is not required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.
34. **Best Efforts Defined.** The term “best efforts” as used in the preceding paragraph requires that the Reviewing Party attempt to ensure that disclosure is not made unless such disclosure is pursuant to a final order of a Texas governmental or Texas judicial body, the written opinion of the Texas Attorney General sought in compliance with the Public Information Act, or the request of governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials. The Reviewing Party is not required to delay compliance with a lawful order to disclose such information but is simply required to timely notify the party asserting confidentiality, or its counsel, that it has received a challenge to the confidentiality of the information and that the Reviewing Party will either proceed under the provisions of §552.301 of the Public Information Act, or intends to comply with the final governmental or court order. Provided, however, that no notice is required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates

to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.

35. **Notify Defined.** “Notify” for purposes of Paragraphs 32, 33 and 34 means written notice to the party asserting confidentiality at least five (5) calendar days prior to release; including when a Reviewing Party receives a request under the Public Information Act. However, the Commission, OAG, or OPC may provide a copy of Protected Materials to the Open Records Division of the OAG as provided herein.
36. **Requests for Non-Disclosure.** If the producing party asserts that the requested information should not be disclosed at all, or should not be disclosed to certain parties under the protection afforded by this Protective Order, the producing party must tender the information for in camera review to the presiding officer within ten (10) calendar days of the request. At the same time, the producing party is required to file and serve on all parties its argument, including any supporting affidavits, in support of its position of non-disclosure. The burden is on the producing party to establish that the material should not be disclosed. The producing party must serve a copy of the information under the classification of Highly Sensitive Protected Material to all parties requesting the information that the producing party has not alleged should be prohibited from reviewing the information.

Parties wishing to respond to the producing party’s argument for non-disclosure must do so within five working days. Responding parties should explain why the information should be disclosed to them, including why disclosure is necessary for a fair adjudication of the case if the material is determined to constitute a trade secret. If the presiding officer finds that the information should be disclosed as Protected Material under the terms of this Protective Order, the presiding officer will stay the order of disclosure for such period of time as the presiding officer deems necessary to allow the producing party to appeal the ruling to the Commission.

37. **Sanctions Available for Abuse of Designation.** If the presiding officer finds that a producing party unreasonably designated material as Protected Material or as Highly Sensitive Protected Material, or unreasonably attempted to prevent disclosure pursuant to

Paragraph 36, the presiding officer may sanction the producing party pursuant to 16 TAC § 22.161.

38. **Modification of Protective Order.** Each party will have the right to seek changes in this Protective Order as appropriate from the presiding officer.
39. **Breach of Protective Order.** In the event of a breach of the provisions of this Protective Order, the producing party, if it sustains its burden of proof required to establish the right to injunctive relief, will be entitled to an injunction against such breach without any requirements to post bond as a condition of such relief. The producing party will not be relieved of proof of any element required to establish the right to injunctive relief. In addition to injunctive relief, the producing party will be entitled to pursue any other form of relief to which it is entitled.

ATTACHMENT A to Protective Order
Protective Order Certification

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket and that I have received a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials must not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC will be used only for the purpose of the proceeding in Docket No. _____. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information contained in the Protected Materials is obtained from independent public sources, the understanding stated here will not apply.

Signature

Party Represented

Printed Name

Date

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

Signature

Party Represented

Printed Name

Date

ATTACHMENT B to Protective Order

I request to view/copy the following documents:

Document Requested	# of Copies	Non-Confidential	Protected Materials and/or Highly Sensitive Protected Materials

Signature

Party Represented

Printed Name

Date

CERTIFICATE OF SERVICE

I certify that on February 8, 2021, this instrument was filed with the Public Utility Commission of Texas, and a true and correct copy of it was served by hand delivery on Staff of the Public Utility Commission of Texas and the Office of Public Utility Counsel.

/s/ Sarah K. Merrick_____

Sarah K. Merrick

DOCKET NO. _____

APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY FOR §
AUTHORITY TO CHANGE RATES § OF TEXAS

**SOUTHWESTERN PUBLIC SERVICE COMPANY'S
EXECUTIVE SUMMARY**

(Filename: SPSExecSummary.doc; Total Pages: 14)

Table of Contents

GLOSSARY OF ACRONYMS AND DEFINED TERMS.....	2
I. OVERVIEW OF THE FILING	3
II. SUMMARY OF RELIEF REQUESTED.....	3
A. BASE RATES	3
B. EFFECTIVE DATE AND REQUEST FOR TEMPORARY RATES	5
C. WAIVER REQUEST	5
III. RATE COMPARISON.....	6
A. REVENUE COMPARISON	6
B. BILL COMPARISON.....	8
IV. WITNESSES SUPPORTING THE REQUESTS SUMMARIZED IN SECTION II.....	11
V. FUEL RELATED INFORMATION	11
A. OVERVIEW OF THE SPS SYSTEM	12
B. SYSTEM OPERATIONS	12

Glossary of Acronyms and Defined Terms

<u>Acronym/Defined Term</u>	<u>Meaning</u>
Commission	Public Utility Commission of Texas
PURA	Public Utility Regulatory Act
RFP	Rate Filing Package
SPP	Southwest Power Pool, Inc.
SPS	Southwestern Public Service, a New Mexico corporation
Temporary Rate Date	March 15, 2021, which is the 35th day after the date the Application was filed
Temporary Rate Period	The final rates set in the rate case will be applied to usage on and after the Temporary Rate Date until the relate-back date in the rate case
Test Year	October 1, 2019 through September 30, 2020
Update Period	October 1, 2020 through December 31, 2020

Narrative Summary

I. Overview of the Filing

Southwestern Public Service Company (“SPS”) is filing a base rate case in accordance with the Public Utility Regulatory Act (“PURA”) and the substantive and procedural rules of the Public Utility Commission of Texas (“Commission”). The Test Year for the base rate case is the historical 12-month period from October 1, 2019 through September 30, 2020 (“Test Year”). In its initial filing, SPS is providing, as allowed under PURA § 36.112 and 16 Tex. Admin. Code (“TAC”) § 25.246, information for the Test Year in its testimony, attachments, and schedules, plus estimates for the Update Period, which is the period from October 1, 2020 through December 31, 2020 (“Update Period”). Within 45 days of filing its application and statement of intent, SPS will replace the Update Period estimates with actual information regarding increases and decreases in its cost of service, including expenses, capital investment, cost of capital, and sales. SPS has not filed a fuel reconciliation with this base rate case in accordance with Project No. 41905 and 16 TAC § 25.236.

II. Summary of Relief Requested

A. Base Rates

SPS requests that the Commission approve an overall increase in annual base rate revenues of \$143,365,836, based upon a Texas retail base rate revenue requirement of \$765,521,011. SPS requests an overall rate of return on investment of 7.56%, which reflects an equity ratio of 54.60%, a rate of return on common equity of 10.35%, and a cost of long-term debt of 4.20%. As part of its base rate request, SPS further requests that the Commission:

1. find that SPS’s capital additions placed into service during the period from July 1, 2019 through December 31, 2020 are reasonable and necessary, and that the costs incurred by SPS for those capital additions are reasonable and prudent;
2. find that SPS’s requested operations and maintenance (“O&M”) expenses and administrative and general (“A&G”) expenses, including native and affiliate expenses, are reasonable and necessary and satisfy the applicable standards under PURA and the Commission’s Substantive Rules;

3. approve SPS's Technical Depreciation Update and resulting depreciation rates, including shorter service lives for the Tolk Generating Station Units 1 and 2 based upon a retirement date of 2032, the coal-specific assets at Harrington Generating Station based on a retirement date of 2024, and Plant X Unit 3 based on a retirement date of 2022;
4. establish SPS's baseline levels for the pension and other post-employment benefits ("OPEB") expenses;
5. approve the waivers from the Rate Filing Package ("RFP") schedules described in Schedule V to the RFP;
6. approve SPS's request to maintain the current Attachment Z2 regulatory asset;
7. approve SPS's request to recover incremental direct costs incurred as a result of the COVID-19 pandemic, establish a tracker for bad debt expense, and seek recovery of the additional bad debt expense in SPS's next base rate case;
8. approve SPS's proposal to reallocate transmission costs as a result of Lubbock Power & Light ("LP&L") moving its transmission load to the Electric Reliability Council of Texas ("ERCOT") system by June 2021;
9. approve SPS's proposed Resiliency Service Tariff;
10. authorize recovery of \$6,486,825 in rate case expenses that were incurred or are expected to be incurred by SPS and the intervening municipalities in the following dockets:
 - \$5,489,800 – rate case expenses associated with this immediate docket;
 - \$685,575 – rate case expenses associated with Docket No. 51625, SPS's currently pending fuel formula docket;
 - \$311,450 – rate case expenses associated with Docket No. 51644, SPS's surcharge proceeding associated with Docket No. 49831;
11. approve SPS's proposed Texas retail cost allocation, proposed revenue distribution, and rate design;
12. approve the complete set of proposed tariff schedules presented in Schedule Q-8.8 of the RFP, including the proposed changes to SPS's rate and rule tariffs; and

13. establish SPS's base line revenue requirement components for purposes of setting the: (i) Transmission Cost Recovery Factor; (ii) Distribution Cost Recovery Factor; and (iii) Purchased Power Capacity Cost Recovery Factor.

B. Effective Date and Request for Temporary Rates

SPS's proposed effective date for this rate change is 35 days after the date of this filing, which is March 15, 2021. The Commission, however, has the authority to suspend the rates for 195 days beyond March 15, 2021,¹ which is September 26, 2021. If the Commission suspends the proposed rates, the final rates set in this proceeding will relate back to consumption occurring on and after July 13, 2021, which is the 155th day after the RFP was filed.²

Consistent with the settlement in Docket No. 46936 and in accordance with PURA § 36.109, SPS further requests that the Commission establish temporary rates on March 15, 2021, which is the 35th day after the date the Application was filed ("Temporary Rate Date"). As part of this request, SPS requests that the final rates set in this case be applied to usage on and after the Temporary Rate Date. Under this proposal, the final rates set in the rate case will be applied to consumption occurring on and after the Temporary Rate Date until the relate-back date in the rate case under PURA § 36.211 (the "Temporary Rate Period"). There will be a refund or surcharge applicable for usage during the Temporary Rate Period, which SPS proposes to implement in conjunction with any refund or surcharge associated with the relate-back date under PURA § 36.211.

C. Waiver Request

SPS requests that the Commission approve the waivers to the RFP instructions presented in RFP Schedule V, which accompanies the application.

¹ PURA § 36.108(a)(2) provides for a 150-day suspension period, which under PURA § 36.112(d) and 16 TAC § 25.246(b)(4)(B) is extended by 45 days—for a total of 195 days—for a rate application that uses an Updated Test Year.

² PURA § 36.211.

III. Rate Comparison

A. Revenue Comparison

Revenues by class at an equalized rate of return and the proposed class revenue assignments for total base rate revenues are presented below in Tables ES-1 and ES-2, respectively.

Table ES-1 – Revenues at Equalized Rate of Return of 7.56%

Class	Revenues at Equalized Rate of Return of 7.56%
Residential Service	\$ 269,804,197
Small General Service	\$ 26,305,845
Secondary General Service	\$ 142,311,746
Primary General Service	\$ 84,995,210
Large General Service – Transmission - 69 kV – 115 kV	\$ 35,687,848
Large General Service – Transmission - 115 kV+	\$ 170,284,528
Small Municipal and School Service	\$ 1,827,519
Large Municipal Service	\$ 11,672,709
Large School Service	\$ 13,164,270
Municipal State and Street Lighting	\$ 5,944,281
Guard and Flood Lighting	\$ 3,522,859
Total Texas Retail	\$ 765,521,011

Table ES-2 -- Total Base Rate Revenue Comparison

Customer Class	Present Base Rate Revenue	Proposed Base Rate Revenue	Proposed Increase
Residential Service	\$ 239,341,579	\$ 269,994,020	\$ 30,652,441
Small General Service	\$ 23,225,518	\$ 26,326,669	\$ 3,101,151
Secondary General Service	\$ 121,366,823	\$ 142,465,051	\$ 21,098,228
Primary General Service	\$ 68,281,614	\$ 85,130,906	\$ 16,849,292
Large General Service – Transmission 69 kV – 115 kV	\$ 25,904,908	\$ 36,235,650	\$ 10,330,742
Large General Service – Transmission - 115 kV+	\$ 116,214,204	\$ 169,205,565	\$ 52,991,361
Small Municipal and School Service	\$ 1,276,911	\$ 1,828,991	\$ 552,080
Large Municipal Service	\$ 8,467,997	\$ 11,686,568	\$ 3,218,571
Large School Service	\$ 9,075,876	\$ 13,175,428	\$ 4,099,552
Municipal and State Street Lighting	\$ 4,759,790	\$ 5,953,809	\$ 1,194,019
Guard and Flood Lighting	\$ 4,239,954	\$ 3,518,304	\$ (721,650)
Total Texas Retail	\$ 622,155,174	\$ 765,520,961	\$ 143,365,787

B. Bill Comparison

Bill comparisons for the Residential Service and Small General Service classes are provided in Tables ES-3 through ES-6 below.³ The bill comparisons do not include a franchise fee component, because SPS’s franchise fee proposal results in different franchise fee amounts depending upon location.

Table ES-3 – Residential Service Base Rate Comparison

Usage Level (kWh)	Base Summer Cost – Current	Base Summer Cost – Proposed	Base Summer Change	Base Winter Cost – Current	Base Winter Cost – Proposed	Base Winter Change
100	\$20.33	\$22.71	\$2.38	\$18.96	\$21.85	\$2.89
200	\$30.17	\$33.41	\$3.24	\$27.41	\$31.69	\$4.28
300	\$40.00	\$44.12	\$4.12	\$35.87	\$41.54	\$5.67
400	\$49.84	\$54.82	\$4.98	\$44.32	\$51.38	\$7.06
500	\$59.67	\$65.53	\$5.86	\$52.78	\$61.23	\$8.48
600	\$69.51	\$76.23	\$6.72	\$61.23	\$71.07	\$9.84
700	\$79.34	\$86.94	\$7.60	\$69.69	\$80.92	\$11.23
800	\$89.18	\$97.64	\$8.46	\$78.14	\$90.76	\$12.62
900	\$99.01	\$108.35	\$9.34	\$86.56	\$100.56	\$14.00
1,000	\$108.85	\$119.05	\$10.20	\$91.66	\$106.39	\$14.73
1,500	\$158.02	\$172.58	\$14.56	\$117.14	\$135.51	\$18.37
2,000	\$207.19	\$226.10	\$18.91	\$142.62	\$164.63	\$22.01
2,500	\$256.36	\$279.63	\$23.27	\$168.10	\$193.75	\$25.65
3,000	\$305.54	\$333.15	\$27.61	\$193.58	\$222.88	\$29.30

³ These bill comparisons reflect fuel savings addressed in pending Docket No. 51625, *Application of Southwestern Public Service Company for Authority to Revise Its Fuel Factor Formulas, Change Its Fuel Factors, and for Related Relief*.

Table ES-4 – Residential Service Total Bill Comparison

Usage Level (kWh)	Total Summer Cost – Current	Total Summer Cost – Proposed	Total Summer Change	Total Winter Cost – Current	Total Winter Cost – Proposed	Total Winter Change
100	\$22.42	\$24.28	\$1.86	\$21.05	\$23.41	\$2.36
200	\$34.33	\$36.51	\$2.18	\$31.56	\$34.78	\$3.22
300	\$46.22	\$48.76	\$2.54	\$42.08	\$46.17	\$4.09
400	\$58.13	\$60.99	\$2.86	\$52.60	\$57.54	\$4.94
500	\$70.03	\$73.24	\$3.21	\$63.12	\$68.93	\$5.81
600	\$81.94	\$85.48	\$3.54	\$73.64	\$80.31	\$6.67
700	\$93.84	\$97.72	\$3.88	\$84.17	\$91.69	\$7.52
800	\$105.75	\$109.96	\$4.21	\$94.68	\$103.07	\$8.39
900	\$117.64	\$122.20	\$4.56	\$105.16	\$114.40	\$9.24
1,000	\$129.55	\$134.45	\$4.90	\$112.32	\$121.76	\$9.44
1,500	\$189.06	\$195.67	\$6.61	\$148.10	\$158.53	\$10.43
2,000	\$248.57	\$256.88	\$8.31	\$183.87	\$195.29	\$11.42
2,500	\$308.09	\$318.09	\$10.00	\$219.65	\$232.04	\$12.39
3,000	\$367.61	\$379.50	\$11.69	\$255.42	\$268.81	\$13.39

Table ES-5 – Small General Service Base Rate Comparison

Usage Level (kWh)	Base Summer Cost – Current	Base Summer Cost – Proposed	Base Summer Change	Base Winter Cost – Current	Base Winter Cost – Proposed	Base Winter Change
100	\$19.91	\$21.59	\$1.68	\$18.81	\$20.47	\$1.66
200	\$27.07	\$29.77	\$2.70	\$24.88	\$27.54	\$2.66
300	\$34.22	\$37.95	\$3.74	\$30.94	\$34.61	\$3.67
400	\$41.38	\$46.15	\$4.77	\$37.00	\$41.68	\$4.68
500	\$48.54	\$54.34	\$5.80	\$43.07	\$48.74	\$5.67
600	\$55.70	\$62.52	\$6.82	\$49.13	\$55.81	\$6.68
700	\$62.85	\$70.71	\$7.86	\$55.19	\$62.88	\$7.69
800	\$70.01	\$78.90	\$8.89	\$61.25	\$69.95	\$8.70
900	\$77.17	\$87.08	\$9.91	\$67.32	\$77.02	\$9.70
1,000	\$84.33	\$95.27	\$10.94	\$73.38	\$84.09	\$10.71
1,500	\$120.12	\$136.21	\$16.09	\$103.70	\$119.43	\$15.73
2,000	\$155.91	\$177.14	\$21.23	\$134.01	\$154.78	\$20.77
2,500	\$191.70	\$218.08	\$26.38	\$164.33	\$190.12	\$25.79
3,000	\$227.48	\$259.02	\$31.54	\$194.64	\$225.47	\$30.83

Table ES-6 – Small General Service Total Bill Comparison

Usage Level (kWh)	Total Summer Cost – Current	Total Summer Cost – Proposed	Total Summer Change	Total Winter Cost – Current	Total Winter Cost – Proposed	Total Winter Change
100	\$21.99	\$23.14	\$1.15	\$20.89	\$22.02	\$1.13
200	\$31.19	\$32.83	\$1.64	\$29.00	\$30.59	\$1.59
300	\$40.39	\$42.55	\$2.16	\$37.10	\$39.19	\$2.09
400	\$49.60	\$52.25	\$2.65	\$45.21	\$47.77	\$2.56
500	\$58.81	\$61.96	\$3.15	\$53.33	\$56.35	\$3.02
600	\$68.02	\$71.66	\$3.64	\$61.44	\$64.94	\$3.50
700	\$77.22	\$81.37	\$4.15	\$69.55	\$73.52	\$3.97
800	\$86.43	\$91.08	\$4.65	\$77.65	\$82.11	\$4.46
900	\$95.63	\$100.77	\$5.14	\$85.76	\$90.69	\$4.93
1,000	\$104.85	\$110.49	\$5.64	\$93.88	\$99.29	\$5.41
1,500	\$150.88	\$159.02	\$8.14	\$134.43	\$142.21	\$7.78
2,000	\$196.91	\$207.54	\$10.63	\$174.97	\$185.14	\$10.17
2,500	\$242.95	\$256.07	\$13.12	\$215.53	\$228.06	\$12.53
3,000	\$288.98	\$304.61	\$15.63	\$256.08	\$271.00	\$14.92

IV. Witnesses Supporting the Requests Summarized in Section II

In his direct testimony in the Revenue Requirement phase, SPS witness William A. Grant lists the witnesses supporting the topics and requests summarized in Section II.A of this Executive Summary. SPS witnesses Richard M. Luth and Jannell E. Marks support SPS’s calculation of revenues, proposed cost allocation and rate design, and the proposed changes to SPS’s rate and rules tariffs.

V. Fuel Related Information

SPS is not reconciling fuel in this docket, but it provides the following general information regarding its production facilities and fuel usage for informational purposes.

A. Overview of the SPS System

SPS's power plants in service during the Test Year were:

- (1) Jones Station, east of Lubbock, Texas (natural gas);
- (2) Plant X, south of Earth, Texas (natural gas);
- (3) Nichols Station, north of Amarillo, Texas (natural gas);
- (4) Cunningham Station, west of Hobbs, New Mexico (natural gas);
- (5) Maddox Station, west of Hobbs, New Mexico (natural gas);
- (6) Quay County Station, Tucumcari, New Mexico (fuel oil);
- (7) Tolk Station, east of Muleshoe, Texas (coal);
- (8) Harrington Station, north of Amarillo, Texas (coal); and
- (9) Hale Wind Project, south of Plainview, Texas (wind).

During the Update Period, a major addition to the SPS generation fleet was the Sagamore Wind Project, which began commercial operation in December 2020.

The natural gas-fueled plants consist of 12 steam turbine units and 7 combustion turbines. SPS's coal-fueled power plants contain five steam units. The combustion turbines at Jones (Units 3 and 4), Cunningham (Units 3 and 4), and Maddox Unit 2 are considered peaking units. Quay County and Maddox Unit 3 are designated primarily for emergency use, but they are system resources.

In addition to using its own generation resources, SPS used purchased power to: (1) serve the capacity and energy needs of its customers and/or to reduce overall power supply expenses; (2) satisfy its obligations under renewable energy mandates in Texas and New Mexico; and (3) comply with mandatory purchase obligations from qualifying facilities under Section 210 of the Public Utility Regulatory Policies Act of 1978.

B. System Operations

In an effort to ensure that its customers receive the lowest reasonable cost of generation and purchased energy to meet their energy needs, SPS optimizes its existing portfolio of generation assets and long-term power purchase agreements. SPS also purchases electricity in the short-term market, subject to system constraints, when the cost of this purchased energy is less than the cost of providing this energy with owned generation facilities or power purchase agreements. Additionally, SPS sells electricity in

the short-term wholesale market when the incremental cost of generating this energy is less than the price SPS expects to receive for this energy in the wholesale market. SPS's ability to purchase or sell energy is subject to transmission system constraints.

SPS is a member of the Southwest Power Pool, Inc. ("SPP"), which currently operates a day-ahead and real-time balancing energy market called the Integrated Marketplace. In the SPP energy market, a central power exchange clears the real-time market, replacing most bilateral real-time transactions. However, bilateral transactions may continue to take place. The day-ahead and real-time market design overcomes the difficulties associated with a solely bilateral market, where the number of discrete transactions needed to achieve optimal dispatch for all participants may be prohibitively high. Therefore, the day-ahead and balancing energy markets are an efficient way to provide more opportunities for customer savings.