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**PUBLIC UTILITY COMMI** 

**OF TEXAS** 

# SOUTHWESTERN PUBLIC SERVICE COMPANY'S FIRST SUPPLEMENTAL RESPONSE TO CITIES OF AMARILLO, SPEARMAN AND PANHANDLE'S FIFTH REQUEST FOR INFORMATION, QUESTION NO. 5-13

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# SOUTHWESTERN PUBLIC SERVICE COMPANY'S FIRST SUPPLEMENTAL RESPONSE TO CITIES OF AMARILLO, SPEARMAN AND PANHANDLE'S FIFTH REQUEST FOR INFORMATION, QUESTION NO. 5-13

Southwestern Public Service Company ("Southwestern or "SPS") files this supplemental response to Cities of Amarillo, Spearman and Panhandle's ("Cities") Fifth Request for Information.

### I. WRITTEN RESPONSES.

Southwestern's written supplemental responses to Cities' Fifth Request for Information are attached and incorporated by reference. Each response is stated on or attached to a separate page on which the request has been restated. Southwestern's responses are made in the spirit of cooperation without waiving Southwestern's right to contest the admissibility of any of these matters at hearing. Pursuant to P.U.C PROC. R. 22.144(c)(2)(A), each response lists the preparer or person under whose direct supervision the response was prepared and any sponsoring witness. When Southwestern provides certain information sought by the request while objecting to the provision of other information, it does so without prejudice to its objection in the interests of narrowing discovery

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disputes pursuant to P.U.C. PROC. R. 22.144(d)(5). Pursuant to P.U.C. PROC. R. 22.144(c)(2)(F), Southwestern stipulates that its responses may be treated by all parties as if they were made under oath.

#### II. INSPECTIONS.

If responsive documents are more than 100 pages but less than eight linear feet in length, the response will indicate that the attachment is VOLUMINOUS and, pursuant to P.U.C. PROC. R. 22.144(h)(2), the attachment will be made available for inspection at Southwestern's voluminous room at 1150 Capitol Center, 919 Congress Ave., Austin, Texas 78701. If a response or the responsive documents are provided pursuant to the protective order in this docket, the response will indicate that it or the attachment is either CONFIDENTIAL or HIGHLY SENSITIVE as appropriate under the protective order. Highly sensitive responses will be made available for inspection at Southwestern's voluminous room, unless they form a part of a response that exceeds eight linear feet in length; then they will be available at their usual repository in accordance with the following paragraph. Please call in advance for an appointment to ensure that there is sufficient space to accommodate your inspection.

If responsive documents exceed eight linear feet in length, the response will indicate that the attachment is subject to the FREIGHT CAR DOCTRINE, and, pursuant to Commission Procedural Rule 22.144(h)(3), the attachment will be available for inspection at its usual repository, Southwestern's offices in Amarillo, Texas, unless otherwise indicated. Southwestern requests that parties wishing to inspect this material provide at least 48 hours' notice of their intent by contacting

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Steven D. Arnold of Hinkle, Hensley, Shanor & Martin, L.L.P., 1150 Capitol Center, 919 Congress Ave., Austin, Texas 78701; telephone number (512) 476-7137; facsimile transmission number (512) 476-7146. Inspections will be scheduled to accommodate all requests with as little inconvenience to the requesting party and to Southwestern's operations as possible.

## Respectfully submitted,

#### XCEL ENERGY

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ATTORNEYS FOR SOUTHWESTERN PUBLIC SERVICE COMPANY

### SUPPLEMENTAL RESPONSES

### **QUESTION NO. 5-13:**

Please provide a copy of the executive summary or a discussion of results of all coal stockpile surveys made by or on behalf of TUCO during the reconciliation period and for the preceding three-year period. (Details such as stockpile drawings, core sample locations, and strictly numerical data need not be provided in this response.)

### **RESPONSE:**

In preparing the *Index of Documents Containing Confidential or Highly Sensitive Information Responsive to Cities of Amarillo, Spearman and Panhandle's First Request for Information*, SPS inadvertently classified inventory summary sheets as HIGHLY SENSITIVE protected materials. These sheets should have been classified as CONFIDENTIAL. SPS has corrected this classification error in Exhibit Nos. Cities5-13(CONF)(SUPP1), which is CONFIDENTIAL and Cities5-13(HS)(SUPP1), which is HIGHLY SENSITIVE. These two exhibits replace Exhibit No. Cities5-13(HS) in its entirety which was filed with SPS's initial response.

Preparer(s): Barry Johnson Sponsor: Barry Johnson

### **Certificate of Service**

I certify that on the 11th day of September 2002, a true and correct copy of the foregoing instrument was served on all parties of record by hand delivery, Federal Express, certified mail, or facsimile transmission.