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**SOAH DOCKET NO. 473-04-6558
DOCKET NO. 29801**

PUBLIC UTILITY COMMISSION
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**APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE
PUBLIC SERVICE COMPANY FOR: (1) §
RECONCILIATION OF ITS FUEL COSTS § OF
FOR 2002 AND 2003; (2) A FINDING OF §
SPECIAL CIRCUMSTANCES; AND (3) §
RELATED RELIEF § ADMINISTRATIVE HEARINGS**

**SOUTHWESTERN PUBLIC SERVICE COMPANY'S
THIRD SUPPLEMENTAL RESPONSE TO COMMISSION STAFF'S
FIRST REQUEST FOR INFORMATION
QUESTION NO. AG-1-18
(Filename: 60B3.doc; Total Pages: 8)**

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QUESTION NO. AG-1-18:	5
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Exhibit No. CS-AG-1-18(SUPP3) (non-native format).....	7

*SOAH Docket No. 473-04-6558; PUC Docket No. 29801
Southwestern Public Service Company's Third Supplemental Response to
Commission Staff's First Request for Information
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**SOAH DOCKET NO. 473-04-6558
DOCKET NO. 29801**

APPLICATION OF SOUTHWESTERN PUBLIC SERVICE COMPANY FOR: (1) RECONCILIATION OF ITS FUEL COSTS FOR 2002 AND 2003; (2) A FINDING OF SPECIAL CIRCUMSTANCES; AND (3) RELATED RELIEF	§ § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**SOUTHWESTERN PUBLIC SERVICE COMPANY'S
THIRD SUPPLEMENTAL RESPONSE TO COMMISSION STAFF'S
FIRST REQUEST FOR INFORMATION
QUESTION NO. AG-1-18**

Southwestern Public Service Company (SPS) files this supplemental response to Commission Staff's (Staff) First Request for Information, Question No. AG-1-18.

I. WRITTEN RESPONSES.

SPS's written supplemental responses to Staff's First 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. SPS's responses are made in the spirit of cooperation without waiving SPS'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 SPS 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 disputes pursuant to P.U.C. PROC. R. 22.144(d)(5). Pursuant to P.U.C. PROC. R. 22.144(c)(2)(F), SPS stipulates that its responses may be treated by all parties as if they were made under oath.

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Commission Staff's First Request for Information
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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 SPS's voluminous room at 1150 Capitol Center, 919 Congress Ave., Austin, Texas 78701, telephone number (512) 476-7137. 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 SPS'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, SPS's offices in Amarillo, Texas, unless otherwise indicated. SPS requests that parties wishing to inspect this material provide at least 48 hours' notice of their intent by contacting 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 SPS's operations as possible.

XCEL ENERGY

Jerry F. Shackelford
Texas Bar. No. 18070000
e-mail: jerry.f.shackelford@xcelenergy.com
816 Congress Ave., Suite 1130
Austin, Texas 78701
(512) 478-9229
(512) 478-9232 (FAX)

Respectfully submitted,

HINKLE, HENSLEY, SHANOR
& MARTIN, L.L.P.

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COURTNEY, COUNTISS, BRIAN
& BAILEY, L.L.P.

By: 

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ATTORNEYS FOR SOUTHWESTERN
PUBLIC SERVICE COMPANY

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SUPPLEMENTAL RESPONSES

QUESTION NO. AG-1-18:

Please provide an affidavit signed by each consultant stating that the rate charged is the normal hourly billing rate charged by the consultant, is comparable to the hourly rate charged by other consultants for similar services provided to other Texas utilities, and is the normal hourly billing rate charged by the consultant for services to non-regulated entities.

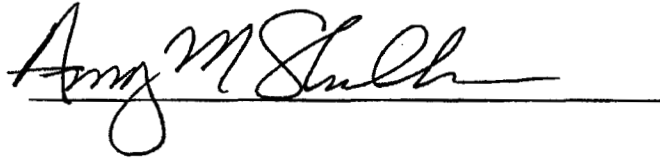
RESPONSE:

In addition to SPS's previous responses, refer to Exhibit No. CS-AG-1-18(SUPP3) for additional consultant affidavits.

Preparer(s): Barry Johnson, Jon Kelly
Sponsor: J. Patrick Hazel, Barry Johnson

Certificate of Service

I certify that on the 25th day of October 2004, a true and correct copy of the foregoing instrument was served on all parties of record by hand delivery, Federal Express, regular first class mail, certified mail, or facsimile transmission.

A handwritten signature in cursive script, reading "Amy M. Stull", is written over a horizontal line.

AFFIDAVIT OF THOMAS G. DURHAM

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

BEFORE ME, the undersigned notary public, personally appeared THOMAS G. DURHAM, who, being first duly sworn upon his oath, deposed and said as follows:

1. My name is Thomas G. Durham. I am a natural person over the age of 21 years. I have never been convicted of a felony and am otherwise fully competent to testify. All matters in this affidavit are within my personal knowledge and are true and correct, and I am authorized to make this affidavit.

2. I am currently the Vice President of Coal Operations of Westmoreland Coal Company. While employed at Norwest Mine Services, Inc., I was retained by TUCO INC. as an expert witness in the litigation of *TUCO INC. v. Thunder Basin Coal Company and Atlantic Richfield Company*, Case No. 79483-C, 251st District Court in and for Potter County, Texas and the litigation of *Thunder Basin Coal Company v. TUCO INC. and Southwestern Public Service Co.*, Case No. 20041, District Court for Campbell County, Wyoming.

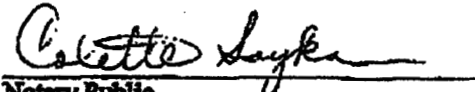
3. The hourly billing rate of \$185 charged TUCO INC. for my services in connection with the cases listed above (for depositions) (\$125 per hour for preparation) (1) was my normal billing rates charged for work as an expert witness in the coal industry, (2) to the best of my knowledge and belief was comparable to the hourly rates charged by other experts in the field for similar services, and (3) was the normal billing rate charged by me for services to non-regulated entities.

FURTHER AFFIANT SAITH NOT.


Thomas G. Durham

SUBSCRIBED AND SWORN TO BEFORE ME this 18th day of October, 2004.

My Commission Expires: 7-22-2008


Notary Public



AFFIDAVIT OF MARK D. WHITE

STATE OF Texas }
COUNTY OF Potter } ss.

BEFORE ME, the undersigned notary public, personally appeared MARK D. WHITE, who, being first duly sworn upon his oath, deposed and said as follows:

1. My name is Mark D. White. I am a natural person over the age of 21 years. I have never been convicted of a felony and am otherwise fully competent to testify. All matters in this affidavit are within my personal knowledge and are true and correct, and I am authorized to make this affidavit.

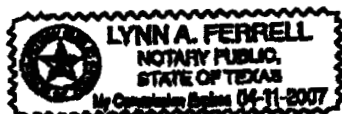
2. I am an attorney at the firm of Sprouse Shrader Smith P.C. (the "Sprouse Firm") and I was retained as an attorney for expert in the litigation of TUCO INC. v. Thunder Basin Coal Company and Atlantic Richfield Company, Case No. 79483-C, 251st District Court in and for Potter County, Texas, and the litigation of ~~Thunder Basin Coal Company v. TUCO INC. and Southwestern Public Service Co.~~ now Case No. 20841, District Court for Campbell County, Wyoming.

3. The hourly billing rate of \$180 charged TUCO INC. for legal services in connection with the matter listed above (1) was my normal billing rate charged by the Sprouse Firm, (2) to the best of my knowledge and belief was comparable to the hourly rates charged by other firms for similar services, and (3) was my normal billing rate charged by the Sprouse Firm for services to non-regulated entities with similar or analogous matters.

FURTHER AFFIANT SAITH NOT.

Mark D. White
Mark D. White, Esq.

SUBSCRIBED AND SWORN TO BEFORE ME this 25th day of October, 2004.



Lynn A. Ferrell
Notary Public