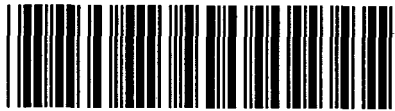




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APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE  
PUBLIC SERVICE COMPANY FOR: (1) §  
RECONCILIATION OF ITS FUEL COSTS § OF  
FOR 2002 AND 2003; (2) A FINDING OF §  
SPECIAL CIRCUMSTANCES; AND (3) §  
RELATED RELIEF § ADMINISTRATIVE HEARINGS

SOUTHWESTERN PUBLIC SERVICE COMPANY'S  
THIRD REQUEST FOR INFORMATION TO CITY OF AMARILLO  
(Filename: 60C6.doc; Total Pages: 10)

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**SOAH DOCKET NO. 473-04-6558  
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<b>APPLICATION OF SOUTHWESTERN</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>PUBLIC SERVICE COMPANY FOR: (1)</b>	<b>§</b>	
<b>RECONCILIATION OF ITS FUEL COSTS</b>	<b>§</b>	<b>OF</b>
<b>FOR 2002 AND 2003; (2) A FINDING OF</b>	<b>§</b>	
<b>SPECIAL CIRCUMSTANCES; AND (3)</b>	<b>§</b>	
<b>RELATED RELIEF</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**SOUTHWESTERN PUBLIC SERVICE COMPANY'S  
THIRD REQUEST FOR INFORMATION TO CITY OF AMARILLO**

**DEFINITIONS**

The following definitions apply to each of the requests set forth in this document and all requests served after this document.

1. A reference to "SPS" or the "Company" shall mean Southwestern Public Service Company.
2. A reference to City of Amarillo (City) includes, but is not limited to the City of Amarillo, Texas, and all employees, agents, consultants, attorneys, and all other persons acting on behalf of the City.
3. The term "Commission" refers to the Public Utility Commission of Texas (PUCT).
4. The term "communication" includes all verbal and written communications (including written records of verbal communications) of every kind, including but not limited to, telephone calls, conferences, letters, electronic mail (E-mail), modem transfers, and all memoranda or other documents concerning the requested item. Where communications are not in writing, provide copies of all memoranda and documents and describe in full the substance of the communication to the extent that substance is not reflected in the memoranda and documents provided and to the extent it is within the knowledge of the City.
5. "Documents" refers to all writings and records of every type, including electronic media, in the possession, control, or custody of the City, including, but not limited to, memoranda, correspondence, reports (including drafts, preliminary, intermediate and final reports), surveys, studies (including, but not limited to, load flow, engineering, general economic and market studies), comparisons, tabulations, charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, diaries, newspaper clippings, log sheets, ledgers, transcripts, microfilm, computer data files, tapes, inputs, outputs, and print outs, vouchers, accounting statements, engineering diagrams (including "one-line" diagrams), mechanical and electric recordings, telephone and telegraphic communication, speeches, and all other records, written, electrical, mechanical or otherwise.

"Documents" shall also refer to copies of documents, even though the originals of those documents are not in the possession, custody, or control of the City, every copy of a document which contains handwritten or other notations or which otherwise does not duplicate the original or any other copy, and all attachments to any documents.

6. "Identification of" or "identify" a document includes stating (a) the nature of the document (*e.g.*, letter, memorandum, corporate minutes), (b) the date, if any, appearing thereon, (c) the date, if known, on which the document was prepared, (d) the title of the document, (e) the general subject matter of the document, (f) the number of pages comprising the document, (g) the identity of each person who signed or initialed the document, (h) the identity of each person to whom the document was addressed, (i) the identity of each person who received the document or reviewed it, (j) the location of the document, and (k) the identity of each person having custody of, or control over, the document. Identification of a document includes identifying all documents known or believed to exist, whether or not in the custody of the City or in the custody of its attorneys or other representatives or agents.
7. "Identification" of a person includes stating his or her full name, his or her most recent known business address and telephone number, his or her present position, and his or her prior connection or association with any party to this proceeding.
8. "Person" refers to, without limiting the generality of its meaning, every natural person, corporate entity, partnership, association (whether formally organized or *ad hoc*), joint venture, unit operation, cooperative, municipality, commission, governmental body or agency.
9. "Please provide copies of all documents . . ." or similar phrases shall include the identification (see Definition No. 6) of all such documents as well as the production of all such documents.
10. "Relating to" or "referring to," when used in these requests, means a request for every document which comprises, reflects, discusses, underlies, comments upon, forms the basis for, analyzes, or mentions in any way the subject of the request.

## **GENERAL INSTRUCTIONS**

The following General Instructions apply to each of the data requests by SPS submitted during this proceeding:

1. Please provide all narrative responses in hard copy, on separate pages for each response, with the question restated at the top of the page. Where possible, please also provide responses via e-mail including all exhibits that are electronically available.
2. For each responsive answer, please identify the individual(s) responsible for its preparation, and the witness sponsoring the answer provided.
3. Unless otherwise indicated, the documents for which production is sought shall include all documents dated, prepared, sent, or received during the designated period or that relate to the designated period, whether prepared before, during, or after that period
4. If a data request can be answered in whole or in part by reference to the response to a preceding or subsequent data request, including data requests of Commission Staff and other parties, so indicate. Specify the preceding or subsequent data request by participant or party and by number, and state whether it is claimed that the response to the preceding or subsequent data request is a full response to the instant data request. If not, furnish the balance of the response needed to complete a full reply.
5. For any data request consisting of separate sub-divisions or related parts, a response is requested for each such part or portion with the same effect as if it were propounded as a separate data request. Any objection to such a data request should clearly indicate that part or portion of the data request to which the objection is directed.
6. For each document identified in a response that is computer generated, state separately (a) what types of data, files, diskettes or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (punch cards, tapes, diskettes, etc.), (c) a description of the recordation system employed (including program descriptions, flow charts, etc.), and (d) the identity of the person(s), during the designated period, in charge of the collection or input materials, the processing of input materials, the data bases utilized, and/or the programming to obtain such output.
7. If a data request seeks information by year or years, indicate whether the information is provided on a calendar or fiscal year basis. If provided on a fiscal year basis, state the dates on which each fiscal year begins and ends.
8. In the event any document requested in this request is unavailable, describe in detail the reasons the document is unavailable.
9. When producing documents pursuant to these data requests, designate on the document or group of documents the data request(s) in response to which the document(s) are produced.
10. If, in answering any of these requests, there is any ambiguity in interpreting either the request or a definition or instruction applied thereto, please contact Steven D. Arnold or Richard R. Wilfong at:

Hinkle, Hensley, Shanor & Martin, L.L.P.  
1150 Capitol Center  
919 Congress Avenue  
Austin, Texas 78701  
(512) 476-7137  
(512) 476-7146 (FAX)

Parties can also contact Amy M. Shelhamer at:

Courtney, Countiss, Brian & Bailey, L.L.P.  
1700 Bank One Center  
Amarillo, Texas 79101  
(806) 372-5569  
(806) 372-9761 (FAX)

If that is not possible, set forth the language deemed to be ambiguous and the interpretation chosen or used in responding to the request.

11. These data requests are continuing in nature and require supplemental responses when further or different information with respect to any of them is obtained.
12. Use of the singular or plural word form in a data request is not to be interpreted to exclude information or documents from the scope or intent of the specific request.
13. The terms "and" and "or" shall be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of these requests any information or documents which might otherwise be considered to be beyond their scope.
14. When requested to "state the basis" for any analysis (including studies and work papers), proposal, assertion, assumption, description, quantification or conclusion, describe every fact, statistic, inference, supposition, estimate, consideration, conclusion, study and analysis known to the City or that the City believes supports the analysis, proposal, assertion, assumption, description, quantification, or conclusion, or which the City contends to be evidence of the truth or the accuracy of the analysis, proposal, assertion, assumption, description, quantification, or conclusion.
15. For each document furnished or answer provided in response to a data request, please identify the person(s) responsible (whether primarily or indirectly) for preparing and providing the response, the person(s) from whom information or documents were obtained and the files searched in responding to the data request, the person(s) who reviewed the response, and the person who would be available to respond to inquiries concerning the information provided (if different than the other identified people).
16. When a response to a data request comprises more than one page, please staple or bind the pages using consecutive numbers. Each response should be on a separate page(s).
17. For data requests specifically soliciting an answer rather than the production of documents, please provide an answer, supplemented, if need be, by the production of documents.

18. If information requested is not available in the form requested, please provide the information or documents as are available that best respond to the data request.
19. If any document covered by this request is withheld for whatever reason, please furnish a list identifying all withheld documents in the following manner
- (a) the reason for withholding;
  - (b) the date of the document;
  - (c) a brief description of the document;
  - (d) the name of each author or preparer;
  - (e) the name of each person who received the document; and
  - (f) a statement constituting the basis for withholding the document.
20. If the City declines to respond to any request for information or data on the basis of privilege, please state as to each such request an explanation for the refusal. Identify those documents and communications that are withheld from the response to each specific data request. The identification shall be served within the time specified by the presiding examiner for this proceeding and in accordance with the Rules of the Commission, and shall:
- (a) specify the date of the document, its author(s) (with title and designation if an attorney), and recipients (with title and designation if an attorney);
  - (b) contain a brief summary of the subject matter of the document; and
  - (c) contain a brief statement of the reason that, in your opinion, the assertion of privilege is justified.
21. Please provide data responses as they become available.
22. Forward responses to all data requests to the individuals named below. If there are questions or problems concerning any data requests, contact Mr. Arnold, Ms. Shelhamer, or Mr. Wilfong.

Steven D. Arnold, Esq.  
Richard R. Wilfong, Esq.  
Hinkle, Hensley, Shanor & Martin, L.L.P.  
1150 Capitol Center  
919 Congress Avenue  
Austin, Texas 78701  
(512) 476-7137  
(512) 476-7146  
e-mail: sarnold@hinklelawfirm.com  
e-mail: dwilfong@hinklelawfirm.com

Amy M. Shelhamer, Esq.  
Courtney, Countiss, Brian & Bailey, L.L.P.  
1700 Bank One Center  
Amarillo, Texas 79101  
(806) 372-5569  
(806) 372-9761  
e-mail: ashelhamer@courtneylawfirm.com

**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.**

Steven D. Arnold  
Texas Bar No. 01345480  
e-mail: sarnold@hinklelawfirm.com  
Richard R. Wilfong  
Texas Bar No. 21474025  
e-mail: dwilfong@hinklelawfirm.com

1150 Capitol Center  
919 Congress Ave.  
Austin, Texas 78701  
(512) 476-7137  
(512) 476-7146 (FAX)

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

By: 

Amy M. Shelhamer  
Texas Bar Card No. 24010392  
email: ashelhamer@courtneylawfirm.com  
1700 Bank One Center  
Amarillo, Texas 79101  
(806) 372-5569  
(806) 372-9761 (FAX)

**ATTORNEYS FOR SOUTHWESTERN  
PUBLIC SERVICE COMPANY**



## **REQUESTS FOR INFORMATION**

### **Question No. 3-1:**

Refer to the Direct Testimony of Scott Norwood. Please provide all information, documentation, etc. relied on by Mr. Norwood regarding the claim made at page 8, lines 16-18, that "The native system load of SPS has grown over time such that the output of the Company's coal-fired generating units is fully utilized to serve native load requirements over most of the year."

### **Question No. 3-2:**

Refer to the Direct Testimony of Scott Norwood at page 10, lines 1-7. Please provide all information, documentation, etc. relied on by Mr. Norwood regarding the claim made that the earned return on equity for jurisdictions other than Texas retail for 2003 was from the subsidization of non-native market-based sales by native Texas customers.

### **Question No. 3-3:**

Provide all support for Exhibit SN-9 and explain how the numbers in the PNM Fixed Cost column and the Coordination Sales Margins column were derived.

### **Question No. 3-4:**

Please explain in detail why the recommended adjustment for the sharing of non-firm sales margins is \$2.2 million and not the \$1.1 million included in SPS's application at page 12 of the Direct Testimony of Michael E. Mally.

### **Question No. 3-5:**

Please provide the electronic worksheet for Exhibit SN-5, including all formulas used to calculate the adjustments presented.

### **Question No. 3-6:**

Provide the calculation of the proposed \$41.43 million adjustment shown at page 10, line 23, of the Direct Testimony of Scott Norwood and explain how that was developed.

### **Question No. 3-7:**

Refer to the Direct Testimony of Scott Norwood at page 6, line 4. Please provide the precise reference in Exhibit SN-3 where the 665 MW value is shown.

**Question No. 3-8:**

Refer to the Direct Testimony of Scott Norwood at page 6.

- (a) Please explain whether it is Mr. Norwood's understanding of whether NewCorp Resources Electric Cooperative Inc. (NewCorp) is a wholesale firm customer of SPS.
- (b) What is Mr. Norwood's understanding of when the NewCorp system loads become part of SPS wholesale customer base?
- (c) Describe Mr. Norwood's understanding of the circumstances and Commission approvals related to the NewCorp loads becoming part of the SPS whole sales base.

**Question No. 3-9:**

Provide the source information used to calculate Exhibit SN-4.

**Question No. 3-10:**

Refer to the Direct Testimony of Scott Norwood at page 12. Please explain the basis for Mr. Norwood's position that the energy from Golden Spread was under the Replacement Energy arrangement with Golden Spread.

**Question No. 3-11:**

If energy purchased from Golden Spread was in fact purchased under the Commitment and Dispatch Agreement with Golden Spread, would Mr. Norwood's position on ineligible purchased power costs be the same? If yes, please explain your answer in detail.

**Question No. 3-12:**

If the O&M charges represented payments associated with variable costs, would Mr. Norwood's position on ineligible purchased power costs be the same? If yes, please explain your answer in detail.

**Question No. 3-13:**

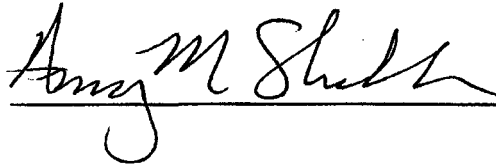
Provide the complete basis, including all documents relied upon, for the position that the payments to Lubbock Power and Light (LPL) for energy purchases from the Cooke unit (that were included in eligible fuel expense) were for fixed costs.

**Question No. 3-14:**

Refer to the Direct Testimony of Scott Norwood at page 12. Provide all support for the position that O&M payments to LPL were included in eligible fuel cost in this proceeding.

**Certificate of Service**

I certify that on the 8th day of November 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.

  
\_\_\_\_\_