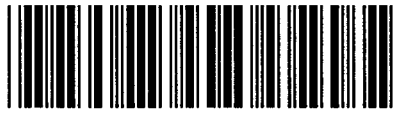




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PUBLIC UTILITY COMMISSION
FILING CLERK

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
PUBLIC UTILITY COMMISSION
OF TEXAS

**OFFICE OF PUBLIC UTILITY COUNSEL'S
NINETEENTH REQUEST FOR INFORMATION TO
SOUTHWESTERN PUBLIC SERVICE COMPANY**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, the Office of Public Utility Counsel ("OPC"), and files this, its 19th Request for Information to Southwestern Public Service Company ("SPS") in the captioned proceeding.

Under Commission Procedural Rules 22.141-.145, 16 Tex. Admin. Code Ch. 22, OPC requests that SPS, as defined herein, provide the following information and answer the following question under oath. Please answer the questions and sub-questions in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the question.

Definitions

As used in this introduction and in these questions,

- (1) "SPS", the "Company", and "Applicant" refer to Southwestern Public Service Company and its affiliates;
- (2) "You", "yours" and "your" refer to SPS (as defined above), including its directors, officers, employees, consultants, agents, and attorneys.

(3) "Document" and "documents" mean any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tapes, film, electronic facsimile, computer storage device or any other media, including, but not limited to, electronic mail (e-mail), memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports and summaries of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form.

Instructions

In answering these questions, furnish all information that is available to you, including information in the possession of your agents, employees, and representatives, all others from whom you may freely obtain it, and your attorneys and their investigators.

Please answer each question based upon your knowledge, information, or belief, and any answer that is based upon information or belief should state that it is given on that basis.

If you have possession, custody, or control (as defined by Tex. R. Civ. P. 192.7(b)) of the originals of these documents requested, please produce the originals or a complete copy of the originals and all copies that are different in any way from the original, whether by interlineation, receipt stamp, or notation.

If you do not have possession, custody, or control of the originals of the documents requested, please produce copies of the documents, however made, in your possession, custody, or control. If any document requested is not in your possession or subject to your control, please

explain why not, and give the present location and custodian of any copy or summary of the document

Claim of Privilege

If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

Questions

The Definitions, Instructions, and Claim of Privilege set out in this Request for Information apply to these questions.

If any question appears confusing, please request clarification from the undersigned counsel.

In providing your responses, please start each response on a separate page and type, at the top of the page, the question that is being answered.

As part of the response to each question, please state, at the bottom of the answer, the name and job position of each person who participated in any way, other than providing clerical assistance, in the preparing of the answer. If the question has sub-parts, please identify the person or persons by sub-part. Please also state the name of the witness in this docket who will sponsor the answer to the question and who can vouch for the truth of the answer. If the question has sub-parts, please identify the witness or witnesses by sub-part.

Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available.

These questions are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer between the time of your original response and the time of the hearings, then you should submit, under oath, a supplemental response to your earlier answer.

If you consider any question to be unduly burdensome, or if the response would require the production of a voluminous amount of material, please call the undersigned counsel as soon as possible in order to discuss the situation and to try to resolve the problem. Likewise, if you object to any of the questions on the grounds that the question

seeks confidential information, or on any other grounds, please call the undersigned counsel as soon as possible.

If the response to any question is voluminous, please provide separately an index to the materials contained in the response.

If the information requested is included in previously furnished exhibits, workpapers, responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bates Stamp page citations and detailed cross-references.

To the extent that a question asks for the production of copyrighted material, it is sufficient to provide a listing of such material, indicating the title, publisher, author, edition, and page references relied on or otherwise relevant to the question.

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- RFI 19-1** Please provide a schematic drawing showing the service areas of Golden Spread, Cooperatives, TNP-Spearman, WTMPA, El Paso Electric, TNP Artesia, and SPS in 1992.
- RFI 19-2** Please provide a schematic drawing showing the service areas of Golden Spread, Cooperatives, TNP-Spearman, WTMPA, El Paso Electric, TNP Artesia, and SPS in 2002 - 2003.
- RFI 19-3** To your knowledge, please explain which of the wholesale customers listed in Attachment DFL-1, column "2003 Adjusted," are native load customers located in the SPS service area. Please explain and in your explanation please include a discussion of your load growth analysis used to seek fuel factor and surcharge/credit adjustment.
- RFI 19-4** Please explain how the last row of data in the attachment "wholesale loads lost since 1992" was determined.
- RFI 19-5** Please explain whether the wholesale contract load data in this attachment are based upon actual sales (except for the last column) for the particular year listed. If not, what is the basis for the MW data?
- RFI 19-6** Do the data in this attachment have any intentional correlation to any monthly or annual coincident peak?
- RFI 19-7** Please provide the documentation relied upon by SPS to determine that Golden Spread's load would have been 783 MW, as indicated in the attachment, if there had been no change in relationship between SPS and Golden Spread.
- RFI 19-8** Please explain the source and content of any verbal communication between SPS and Golden Spread related to preparation of Attachment of DFL-1.
- RFI 19-9** Please state whether SPS knows for a fact that none of the 2003 Adjusted load for Golden Spread, as shown in Attachment DFL-1, includes sales to customers other than Golden Spread's native customers.
- RFI 19-10** If SPS does know for a fact that the 783 MW 2003 Adjusted load for Golden Spread does not include any sales to customers other than its own native load customers, please explain the source of SPS's information.
- RFI 19-11** Please provide the information relied upon by SPS to determine that none of the 783 MW 2003 Adjusted load for Golden Spread would be for customers other than Golden Spread native load customers (if SPS knows that to be the case).
- RFI 19-12** To your knowledge, please explain what has accounted for the 63% growth in load for Golden Spread between 1992 and 2003.

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- RFI 19-13** Please state whether SPS knows for a fact that none of the 2003 Adjusted load for Cooperatives, as shown in Attachment DFL-1, includes sales to customers other than Cooperatives' native customers.
- RFI 19-14** If SPS does know for a fact that the 642.1 MW 2003 adjusted load for Cooperatives does not include any sales to customers other than its own native load customers, please explain the source of SPS's information.
- RFI 19-15** Please provide the information relied upon by SPS to determine that none of the 642.1 MW projected load for Cooperatives would be for customers other than Cooperatives' native load customers (if SPS knows that to be the case).
- RFI 19-16** To your knowledge, please explain what has accounted for the 109% growth in load for Cooperatives between 1992 and 2003.
- RFI 19-17** Please explain what firm wholesale load was used by SPS in its last Texas rate filing, Docket 11520, for each of the following customers: Golden Spread, Cooperatives, Las Cruces, TNP-Spearman, WTMPA partial requirements, El Paso Electric, and TNP Artesia and provide the specific pages from that filing which show these loads.
- RFI 19-18** Please explain whether the firm wholesale contract between SPS and El Paso Electric which was effective at the time of the last rate case provided for the increases in firm load which are shown in 1996, 2000, and 2002.
- RFI 19-19** Please provide a listing of the base rate costs (or capacity costs) charged by SPS to the firm wholesale customers which were in contracts with SPS for the year 1992.
- RFI 19-20** Please provide a listing of the 1992 base rate or capacity cost per kW or per MW for each of the contracts listed in Attachment DFL-1 for those contracts which were effective in either year 2002 or 2003.
- RFI 19-21** Please provide a listing of the base rate cost for Texas retail customers in 2002 and 2003.
- RFI 19-22** Please explain any differences between the base rates charged to Texas retail customers and the base rates or capacity costs charged to firm wholesale customers listed in Attachment DFL-1 for the years 2002 and 2003.
- RFI 19-23** Please provide SPS's total firm Texas retail load for each year from 1992 through 2003 in a manner comparable to the "Total Firm Wholesale Load" shown in Attachment DFL-R1.

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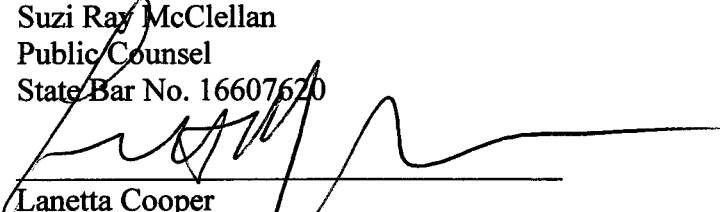
- RFI 19-24** Please explain differences between the rates of growth of (a) the total Texas firm retail load and (b) the total firm wholesale load.
- RFI 19-25** Please list other wholesale firm contracts which were effective in either 2002 or 2003 and which are not included in the table of wholesale contract loads in Attachment DFL-1 and provide the maximum annual contract load for those contracts for each year through the end of 2003.
- RFI 19-26** Does SPS consider that PURA and/or the Substantive Rules allow it to charge average fuel costs to any new firm wholesale customer as long as the resulting contract load replaces “what SPS’s wholesale capacity sales would have been had the relationship between SPS and its wholesale customers not changed and the customers load growth been exactly as occurred?”
- RFI 19-27** Please provide references to the specific provisions of PURA and the Substantive Rules which support SPS’s position that new wholesale customers should be charged average energy fuel costs.
- RFI 19-28** Did SPS intentionally limit new sales of firm wholesale capacity to levels which would offset SPS’s assumed wholesale loads lost since 1992, as shown in the last row of Attachment DFL-R1? Please explain?
- RFI 19-29** Please provide any documentation prepared by SPS for internal use or for reports to its management, affiliates, and/or shareholders, where such documentation describes any SPS wholesale marketing efforts.
- RFI 19-30** Is it SPS’s position that it would not have made an adequate rate of return during the reconciliation period if it had not made the firm wholesale sales (at the prices which it charged)? Please explain. In your explanation, please provide financial data for the reconciliation period that supports your response.
- RFI 19-31** If SPS’s firm wholesale load represented the same approximate percentage of SPS total load that it did in 1992, is it SPS’s position that it would have needed an increase in base rates during the reconciliation period? Explain why or why not.
- RFI 19-32** Please explain the significance of Mustang Station as mentioned on page 6, line 22.
- RFI 19-33** Please explain what an “appropriate adjustment” (page 6, line 23) for Mustang Station is and how it was calculated.
- RFI 19-34** Is it SPS’s assertion that it did not aggressively pursue sales opportunities in the wholesale marketplace during the reconciliation period? Please explain.

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- RFI 19-35** Is it SPS's position that it will not seek to increase its firm wholesale sales beyond the amount needed to recover the loss of load associated with the loss of requirements customers?
- RFI 19-36** Please provide a reference to the rules that Mr. Lemmons is referring to on page 8, lines 20 – 22.
- RFI 19-37** Please provide details of the PNM load at the time of Docket 11520 that is discussed on lines 8 – 12 of page 10, including a description of whether it was firm or interruptible load and the amount of load specified in any related contract between SPS and PNM.

November 29, 2004

Respectfully submitted,
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State Bar No. 16607620



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Assistant Public Counsel
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CERTIFICATE OF SERVICE
SOAH DOCKET NO. 473-04-6558
PUC Docket No. 29801

I certify that today, November 29, 2004, I served a true copy of the foregoing *Office of Public Utility Counsel's 19th Request for Information To Southwestern Public Service Company ("SPS")* on all parties of record via United States First-Class Mail, hand-delivery or facsimile.