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Addendum StartPage: 0

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

2004 JUL 30 AM 10:01

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 SUPPLEMENTAL INDEX OF
DOCUMENTS CONTAINING CONFIDENTIAL OR HIGHLY SENSITIVE
INFORMATION RESPONSIVE TO COMMISSION STAFF'S
FIRST REQUEST FOR INFORMATION, QUESTION NO. AG-1-8**

(Filename: 60A6.doc; Total Pages: 6)

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*SOAH Docket No. 473-04-6558; PUC Docket No. 29801
Southwestern Public Service Company's Supplemental Index of Documents
Containing Confidential or Highly Sensitive Information
Responsive to Commission Staff's First Request for Information*

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Pursuant to Paragraph 4 of the Protective Order in this docket, Southwestern Public Service Company (SPS) files this supplemental index of documents containing Confidential Information or Highly Sensitive Confidential Information responsive to Commission Staff's First Request for Information, Question No. AG-1-8 and states the following in support.

An index of the documents containing Confidential Information or Highly Sensitive Confidential Information is attached as Exhibit A. This index indicates for each document: (a) the designation of information as Confidential or Highly Sensitive; (b) a description of the document; (c) the applicable exemptions under the Public Information Act of Texas; (d) an explanation of the designation of Confidential or Highly Sensitive; and (e) certification that the designation is made in good faith.

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XCEL ENERGY

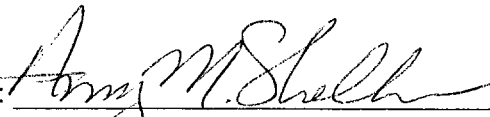
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ATTORNEYS FOR SOUTHWESTERN
PUBLIC SERVICE COMPANY

EXHIBIT A – INDEX OF DOCUMENTS

1. Exhibit No. AG-1-8V(CONF)(SUPP2) (Pages 1-15, 20-224, and 229-381)

- (a) **Designation of Information:** Confidential Information
- (b) **Description of Document:** June and July 2003 Fuel and Purchase Power Invoices, general ledgers and journal entries
- (c) **Applicable Exemptions:** Public Information Act of Texas, §§ 552.101, 552.104, and 552.110
- (d) **Explanation of Designation:** These documents contain fuel cost data, some of which is by plant, and includes supplier, price and volume data. This pricing information, including vendor invoices, if released could give an advantage to a competitor or vendor. Furthermore, this information is protected under the trade secret privilege in Rule 507 of the Texas Rules of Civil Evidence, which is made applicable to discovery process rule by Rule 193.3 of the Texas Rules of Civil Procedure.
- (e) **Certification of Counsel:** The undersigned counsel has reviewed the information sufficiently to state in good faith that the information is exempt from discovery under the Public Information Act of Texas and is entitled to its classification specified above.

2. Exhibit No. AG-1-8V(HS)(SUPP2)(Pages 16-19 and 225-228)

- (a) **Designation of Information:** Highly Sensitive Protected Information
- (b) **Description of Document:** Coal Transportation Invoices for June and July 2003
- (c) **Applicable Exemptions:** Public Information Act of Texas, §§ 552.101, 552.104, and 552.110

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(d) Explanation of Designation:

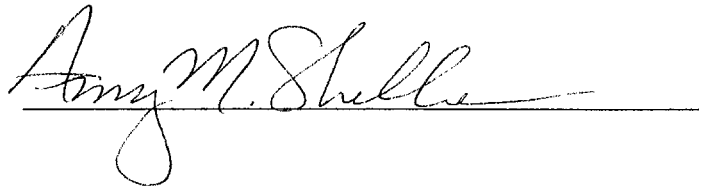
These documents contain fuel cost data and purchase terms, which if released, would give an advantage to a competitor or a bidder. These documents also contain coal transportation cost data provided to SPS under confidentiality agreements, and, which, if released, could subject SPS to liability under those confidentiality agreements. Furthermore, this information is protected under the trade secret privilege in Rule 507 of the Texas Rules of Civil Evidence, which is made applicable to discovery process rule by Rule 193.3 of the Texas Rules of Civil Procedure.

(e) Certification of Counsel:

The undersigned counsel has reviewed the information sufficiently to state in good faith that the information is exempt from discovery under the Public Information Act of Texas and is entitled to its classification specified above.

Certificate of Service

I certify that on July 29, 2004, this document 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. Shelle", is written over a horizontal line.