

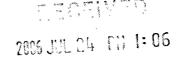
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### **SOAH DOCKET NO. 473-06-2536 PUC DOCKET NO. 32766**



APPLICATION OF SOUTHWESTERN PUBLIC SERVICE COMPANY FOR: (1)	§ BEFORE THE
AUTHORITY TO CHANGE RATES; (2) RECONCILIATION OF ITS FUEL COSTS FOR 2004 AND 2005; (3)	<pre> § § PUBLIC UTILITY COMMISSION</pre>
AUTHORITY TO REVISE THE SEMI-	§
ANNUAL FORMULAE ORIGINALLY	§
APPROVED IN DOCKET NO. 27751	§ OF TEXAS
USED TO ADJUST ITS FUEL FACTORS;	§
AND (4) RELATED RELIEF	§

## TEXAS INDUSTRIAL ENERGY CONSUMERS' SEVENTH SET OF REQUESTS FOR INFORMATION TO SOUTHWESTERN PUBLIC SERVICE COMPANY

Pursuant to § 22.144 of the Commission's Procedural Rules, Texas Industrial Energy Consumers ("TIEC") requests that Southwestern Public Service Company, ("SPS" or "the Company"), by and through its attorneys of record, provide all of the information requested on the attached Exhibit "A" within twenty (20) days of receipt thereof pursuant to P.U.C. Proc. R. 22.144(c)(1).

Pursuant to P.U.C. Proc. R. 22.144(c)(2), TIEC further requests that answers to the requests for information be made under oath. Each answer should identify the person responsible for preparing that answer (other than the purely clerical aspects of its preparation) and the name of the witness in this proceeding who will sponsor the answer and who can vouch for its accuracy. In producing documents pursuant to this request for information, please indicate the specific request(s) to which the document is being produced. These requests are continuing in nature, and should there be a change in circumstances which would modify or change an answer supplied by you, such changed answer should be submitted immediately as a supplement to your original answer pursuant to P.U.C. Proc. R. 22.144(i). Please answer each request and sub-request in the order in which they are listed and in sufficient detail to provide a complete and accurate answer to the request. TIEC further requests that each item of information be made available as it is completed, rather than upon compilation of all information requested.

All information responsive to the requests on the attached Exhibit "A" should be sent to the following persons via overnight courier, on a piecemeal basis as individual items become available:

> Mr. Rex D. VanMiddlesworth Mr. Donald G. Jones Ms. Caren Pinzur Andrews Kurth LLP 111 Congress Avenue, Suite 1700 Austin, Texas 78701 (512) 320-9200

Mr. Jeffry Pollock 12655 Olive Blvd., Suite 335 St. Louis, Missouri 63141 (314) 878-5814

#### **DEFINITIONS AND INSTRUCTIONS**

- A. "SPS," "the Company" or "you" refers to Southwestern Public Service Company, and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- B. "Southwestern" or "SPS" refers to Southwestern Public Service Company, and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.
- C. The terms "document" or "documents" are used in their broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description whether printed, produced or reproduced by any process whether visually, magnetically, mechanically, electronically or by hand, whether final or draft, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include writings, correspondence, telegrams, memoranda, studies, reports, surveys, statistical compilations, notes, calendars, tapes, computer disks, data on computer drives, e-mail, cards, recordings, contracts, agreements, invoices, licenses, diaries, journals, accounts, pamphlets, books, ledgers, publications, microfilm, microfiche and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form. "Document" or "documents" shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.
- D. Pursuant to Rule 196.4 of the Texas Rules of Civil Procedure, TIEC specifically requests that any electronic or magnetic data (which is included in the definition of "document") that is responsive to a request herein be produced on CD-Rom in a format that is compatible with Microsoft, Macintosh and/or Word Perfect and be produced with your response to these requests.
- E. The terms "and" and "or" shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

- F. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."
- G. "Any" shall be construed to include "all" and "all" shall be construed to include "any."
- H. The term "concerning," or one of its inflections, includes the following meanings: relating to; referring to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.
- I. The term "including," or one of its inflections, means and refers to "including but not limited to."
- J. Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- K. The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- L. 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 of copies, subject matter of the document, and the basis upon which such privilege is claimed.
- M. Pursuant to P.U.C. Proc. R. 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- N. 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.

Respectfully submitted, ANDREWS KURTH LLP

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ATTORNEYS FOR TEXAS INDUSTRIAL ENERGY CONSUMERS

#### CERTIFICATE OF SERVICE

I, Caren Pinzur, Attorney for Texas Industrial Energy Consumers, hereby certify that a copy of Texas Industrial Energy Consumers' Seventh Request for Information to Southwestern Public Service Company was served on all parties of record in this proceeding on this Atlanta of July, 2006, by electronic mail, facsimile and/or first class U.S. mail.

Caren Pinzur

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APPLICATION OF SOUTHWESTERN	§	
PUBLIC SERVICE COMPANY FOR: (1)	§	BEFORE THE
<b>AUTHORITY TO CHANGE RATES; (2)</b>	§	
RECONCILIATION OF ITS FUEL	§	
COSTS FOR 2004 AND 2005; (3)	§	PUBLIC UTILITY COMMISSION
AUTHORITY TO REVISE THE SEMI-	§	
ANNUAL FORMULAE ORIGINALLY	§	
APPROVED IN DOCKET NO. 27751	§	OF TEXAS
USED TO ADJUST ITS FUEL FACTORS;	§	
AND (4) RELATED RELIEF	§	

# TEXAS INDUSTRIAL ENERGY CONSUMERS' SEVENTH SET OF REQUESTS FOR INFORMATION TO SOUTHWESTERN PUBLIC SERVICE COMPANY

- TIEC 7-1. Refer to SPS's response to TIEC 2-23. Please explain why SPS began this calculation in 1990.
- TIEC 7-2. Refer to SPS's response to TIEC 2-23. Please explain how the percentages used to allocate production plant between coal and gas were derived (i.e., line 6 of the sheet named "depr exp calc test yrs".)
- TIEC 7-3. Refer to SPS's response to TIEC 2-23. Please provide a copy of the stipulation and/or the final order from the PUC approving the Texas depreciation rates utilized on line 51 of the sheet named "depr exp calc test yrs".
- TIEC 7-4. Refer to SPS's response to TIEC 2-23. What is the source for the annual amounts shown on the worksheet labeled "SPS Texas Test Yr ACCUM DEPR"?
- TIEC 7-5. Refer to SPS's proposal to unblend the depreciation rates to reflect a Texas-only balance of accumulated depreciation. To SPS's knowledge, has such a proposal ever been previously approved by the PUC, or any other regulatory commission? If so, please provide copies of final orders approving such an adjustment.
- TIEC 7-6. Refer to SPS's proposal to "unblend" the depreciation rates to reflect a Texasonly balance of accumulated depreciation. SPS claims that utilizing the Texas depreciation rates for all jurisdictions would result in a reduction of accumulated depreciation of approximately \$64.8 million, as compared to the blended depreciation rates. Therefore, applying the depreciation rates approved in other jurisdictions in a similar fashion would, on average, result in an increase in accumulated depreciation of approximately \$64.8 million for the other jurisdictions. Please provide a breakdown by jurisdiction of this adjustment. Has SPS ever sought to make an adjustment to increase the accumulated reserve for depreciation in a jurisdiction which had depreciation rates which were on average

- higher than the blended rates? If so, please provide documentation verifying such proposal. If not, please explain why not?
- TIEC 7-7. Refer to the table on line 13 of page 23 of the direct testimony of Lisa Perkett. Please provide the "Jurisdictional Percent", "Jurisdictional Depreciation Rate", and "Blended Rates for all applicable FERC plant accounts.
- TIEC 7-8. When does SPS anticipate filing its next base rate case in Texas? Please provide the specific basis upon which SPS currently anticipates a future need for a rate change (i.e., large capital addition, increase in expenses, loss of significant load, etc.)?
- TIEC 7-9. Refer to Schedule G-2.1. Please explain all reasons why SPS's pension expense has increased from a credit of approximately \$33.2 million for the 12 months ended September 2003, to a credit of approximately \$20.8 million for the 12 months ended September 2004, to a credit of approximately \$10.7 million for the test year.
- TIEC 7-10. Refer to Schedule G-2.2. Please explain all reasons why SPS's long-term disability expense increased from approximately \$1.3 million for the 12 months ended September 2004 to \$2.1 million for the test year.
- TIEC 7-11. Please reconcile the amounts shown on Schedule G-2.1 with those on Attachment TLW-1, page 41 of 53 of the testimony of Timothy Willemsen for Pension Expense.
- TIEC 7-12. Please reconcile the amounts shown on Schedule G-2.2 with those on TLW-1, page 41 of 53 of the testimony of Timothy Willemsen for Retiree Medical & Life Insurance expense and for Long-Term Disability expense.