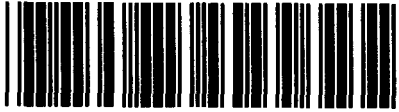




Control Number: 32766



Item Number: 87

Addendum StartPage: 0

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

2005 JUN 27 PM 2:40

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

**MOTION TO INTERVENE
OF THE CITIES OF CACTUS, CANYON,
MULESHOE, PETERSBURG, RALLS,
SKELLYTOWN, SUNRAY, AND WELLMAN**

NOW COME the Cities of Cactus, Canyon, Muleshoe, Petersburg, Ralls, Skellytown, Sunray and Wellman ("Intervening Cities"), which file this Motion to Intervene and request that the Public Utility Commission grant them alignment with the Alliance of Xcel Municipalities ("AXM"). In support thereof, the foregoing cities would show as follows:

1. The Public Utility Commission of Texas ("Commission") has jurisdiction and authority over the subject matter of the application pursuant to PURA §§ 14.001 and 36.203.
2. This docket addresses Southwestern Public Service Company's ("SPS") application to reconcile its fuel costs for 2004 and 2005 and its Statement of Intent to increase rates.
3. As a ratepayer of Xcel, the Cities will be subject to SPS's proposed fuel costs reconciliation and request to increase rates. Therefore, any decision on SPS's application may adversely affect the Cities and their ratepayer-citizens. Accordingly, the Cities are participating on their own behalf as ratepayers of SPS and as regulatory authorities looking after the interests of their ratepayer-citizens and have justicable interests in this proceeding pursuant to P.U.C. PROC. R. 22.103(b)(2).
4. The name of AXM's authorized representatives are:

Jim Boyle
Alfred R. Herrera
Law Offices of Jim Boyle, PLLC
1005 Congress, Suite ao50
Austin, TX 78701
(512) 474-1492
(512) 474-2507 FAX
jboyle@jimboylelaw.com
aherrera@jimboylelaw.com

All pleadings and other documents should be served upon AXM's authorized representatives.

WHEREFORE, PREMISES CONSIDERED, the Cities of Cactus, Canyon, Muleshoe, Petersburg, Ralls, Skellytown, Sunray and Wellman respectfully request that:

- (a) they be aligned with AXM in this proceeding;
- (b) they be permitted to participate fully as a party in this proceeding; and
- (c) they be granted other and further relief to which they may be justly entitled.

Respectfully submitted,
LAW OFFICE OF JIM BOYLE
1005 Congress Avenue, Suite 1050
Austin, Texas 78701
(512) 474-1492
(512) 474-2507 (fax)

By 

JIM BOYLE

State Bar No. 02795000

ALFRED HERRERA

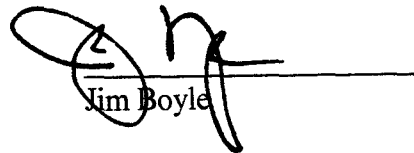
State Bar No. 09529600

Attorneys for the Cities of Abernathy,
Amarillo, Booker, Borger, Bovina,
Cactus, Canadian, Canyon, Dalhart,
Denver City, Dimmitt, Dumas, Follett,
Friona, Fritch, Groom, Gruver, Happy,
Hart, Hereford, Lake Tanglewood,
Levelland, Littlefield, Lockney,

McLean, Miami, Morton, Muleshoe,
New Deal, Pampa, Panhandle, Perryton,
Petersburg, Plainview, Post, Ralls,
Sanford, Seminole, Skellytown,
Silverton, Slaton, Spearman, Stinnett,
Sunray, Tahoka, Vega, Village of
Timbercreek Canyon, Wellman,
Whiteface, White Deer, ,Wilson, and
Wolfforth

CERTIFICATE OF SERVICE

I certify that I have served a copy of this Motion to Intervene upon all known parties of record by fax and/or first class mail on this the 27th day of June 2006.



Jim Boyle