



Control Number: 39925



Item Number: 7

Addendum StartPage: 0

Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Rolando Pablos
Commissioner

Brian H. Lloyd
Executive Director



RECEIVED

NOV 22 PM 1:36

UTILITY COMMISSION
FILING CLERK

Rick Perry
Governor

Public Utility Commission of Texas

TO: State Office of Administrative Hearings

FROM: Stephen Journey 
Director, Commission Advising & Docket Management

RE: Order of Referral
P.U.C. Docket No. 39925; SOAH Docket No. 473-12-2939 - *Application of Southwestern Public Service Company for Authority to Revise its Fuel Factor Formulas; Change its Fuel Factors; and for Related Relief*

DATE: November 22, 2011

Enclosed herewith are the following documents related to the above referenced application:

1. Application and Commission file in the above referenced docket*
2. Request for assignment of Administrative Law Judge
3. Order of Referral

cc: without Items 1 and 2: All Parties of Record

*Referred file contains all filings through November 21, 2011

/as

7



Printed on recycled paper

An Equal Opportunity Employer

**P.U.C. DOCKET NO. 39925
SOAH DOCKET NO. 473-12-2939**

APPLICATION OF	§	PUBLIC UTILITY COMMISSION
SOUTHWESTERN PUBLIC	§	
SERVICE COMPANY FOR	§	OF TEXAS
AUTHORITY TO REVISE ITS FUEL	§	
FACTOR FORMULAS; CHANGE	§	
ITS FUEL FACTORS; AND FOR	§	
RELATED RELIEF	§	

**ORDER OF REFERRAL
AND PRELIMINARY ORDER**

The Public Utility Commission of Texas (Commission) refers this docket to the State Office of Administrative Hearings (SOAH) and requests the assignment of an administrative law judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary in the event one or more issues are contested by the parties.

All subsequent pleadings in this docket must contain both the SOAH and PUC docket numbers to allow for efficient processing. Parties shall make filings in accordance with P.U.C. PROC. R. 22.71(c) regarding the number of copies to be filed or P.U.C. PROC. R. 22.71(d)(C) regarding the number of confidential items to be provided

The Commission has delegated authority to the Commission Advising and Docket Management to issue this Preliminary Order, which is required under TEX. GOV'T. CODE ANN., § 2003.049(e) (Vernon 2000 & Supp. 2011). The following issue must be addressed in this docket:

Do the proposed fuel factors comply with the applicable requirements of P.U.C. SUBST. R. 25.237 and 25.236(e), respectively?

This Order is preliminary in nature and is entered without prejudice to any party expressing views contrary to this Order before the SOAH ALJ at hearing. The SOAH ALJ, upon his or her own motion or upon the motion of any party, may deviate from the

non-dispositive rulings of this Order when circumstances dictate that it is reasonable to do so. Any ruling by the SOAH ALJ that deviates from this Order may be appealed to the Commission. The Commission will not address whether this Order should be modified except upon its own motion or the appeal of a SOAH ALJ's order. Furthermore, this Order is not subject to motions for rehearing or reconsideration.

SIGNED AT AUSTIN, TEXAS the 22nd day of November 2011.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHEN JOURNEY
DIRECTOR, COMMISSION ADVISING &
DOCKET MANAGEMENT

Control Number: 39925

Filing Party: PUC CADM

Tracking Code: QF1129EX

Type: PLEADINGS

Documents:

Q: \...\REFERRAL\39000\39925 Fuel Factor Order.doc

Total Number of Pages: 3

No Addendum:

Submission Method: FTP (13 KB)

Submitted By:

Public Utility Commission of Texas

1701 N Congress Avenue

Austin, TX 78711

512-936-7219

angie.sell@puc.state.tx.us

Version 4.07

11/22/2011 1:27:26 PM

Tracking Number

QF1129EX