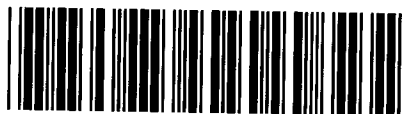




Control Number: 42004



Item Number: 557

Addendum StartPage: 0

STATE OFFICE OF ADMINISTRATIVE HEARING NO. 473-14-1665
FROM DOCKET NO. PUC 42004

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LAURANCE KRIEGEL *
APPELLANT, *Pro Se* *
V. *
SOUTHWESTERN PUBLIC SERVICE *
XCEL *
APPELLEE *

**MOTION TO RECONSIDER ORDER 17 FROM THE SEPT. 11, 2014 HEARING
RECEIVED SEPT. 15, 2014**

A correct Appellate procedure in this proceeding is to follow The Texas Rules of Civil Procedure, at this hearing, that would be for the First and Second Set of Written Questions by Laurance Kriegel to be answered, wait for a Notice of Appeal to be heard by the Supreme Court of Texas in 14-0280, Writ of Error by Laurance Kriegel should to be answered and ruled on before this hearing continues. Laurance Kriegel's Motion to Compel should be answered before proceeding.

Appellant, Laurance Kriegel objected to Exhibit 54 by SPS for the exhibit to not be approved as evidence at the hearing. This is a summary of Exhibit's 1-53 which show the expense of building transmission lines and Alternate Electric Windmill projects across Texas. This rate increase request is driven by the building of Alternate Electric Windmill projects and Transmission lines for those projects. Their exhibits show the amount of money spent on the transmission lines and windmill projects and the expense of the Lawyers or SPS planners at their meeting. The exhibits do not show all of the income received by SPS or Xcel as Appellant has shown in his documents. Please see the documents Appellant stated in the first paragraph I have requested to be answered.

The 1836 and/or 1845 Republic of Texas Constitution states the Land of Texas will not be demised. The fraudulent filed memorandum in the county Court Clerks Office states the company [Scandia] intending to lease the wind rights will demise the land. This is a Constitutional violation. The construction of the windmills and transmission lines should stop. The Tax office is not the correct place to look for the fee simple Owner of the land.

The information presented in the evidence that SPS AND XCEL have before the Court show, there is no need for a rate increase. The SPS documents show they have enough income without a rate increase. I have shown that \$.0001 per produced KWH for all power [KWH's] needed will cover the amount of money requested for their expenses.

The electricity to be transmitted in these electric lines is not just, or reliable, 32 or 33 hertz value in the transmission line is not safe electricity and will damage electric motors of all

sizes. The expense data in this proceeding is using data from building transmission lines, paying for natural gas expense from conventional electricity to charge the electric windmill with electricity in the event the wind blows, and the cost of the electric windmills. The windmills will produce electricity which may go into the transmission line only a small amount of time. This makes the system unneeded, unreliable, cost prohibitive. There is no need for such a project. Appellee's have not proven the abnormalities caused by the flawed electricity will not harm Citizens or wildlife nearby.

The President has Ordered many of the Alternate Windmill Projects taken down. The U.S. Climate Change has data reports that show the electric windmills cause our present drought. The U.S. Weather Bureau has show our present drought is caused by the Alternate Electric Windmill Projects.

News paper articles show many birds are being killed by the electric windmills which violate many of the U. S. Fish and Wildlife statutes. Why build something that causes these types of problems? They should be stopped and taken down. There is no need for this flawed system.

All data supporting expense items for the Alternate Electric Windmills should be stricken from the record. There are a least two lists in the exhibits I noticed with about 70 windmill projects in the SPS service area. See the Writ of Error in this proceeding by Laurance Kriegel to farther explain the excessive costs of these projects and that SPS will recover excessive amounts of money to pay for each segment of transmission lines and Alternate Windmill Energy projects within about a month.

Tax records are not the correct location to determine the fee simple land owner.

Appellant construes that SPS and XCEL have not shown all of the income that they receive, as I have shown in the Writ of Error before the Court. See Laurance Kriegel's First Set of Written Question. Aa Windmill projects need this same required information.

Appellees have not shown they have Texas standing to conduct business in Texas. Without a Texas Billing number and Energy provider number, Appellees do not have standing to conduct business or electric business in Texas. Appellees have not shown that they have a Texas cooperation charter filed in Texas.

I have shown in The Notice of Appeal 14-0280 file marked April 10, 2014 that three Alternate Electric Windmill company's have gotten approval of electric rates above \$1.35 per KWH. This is the electricity causing these rate increase to recover the cost of building these projects. Wildorado has received approval of \$5.00 a KWH. This is excessive. Now SPS and XCEL want to bend this rate with conventional electricity. The windmill projects according to newspaper articles are selling what little electricity they make to SPS and not to a company nearby as the law require. SPS and XCEL are spamming Citizens with this new unlawful blended rate which is not cheaper than conventional electricity.

The evidence supports dollar amount approvals divided by the number of customers to make it look like a rate increase. The truth is a latter document is placed in the PUC file showing a unconstitutional tariff rate.

These electric rates are unreasonable, unaffordable, flawed in design by SPS's own data reports recorded in the Texas Public Utility Commission record. See Appellee's Supreme Court cases having to do with electricity for more explanations and other PUC cases.

Texas Supreme Court proceeding 08-0730, beginning with PUC 35387, will explain that Appellant cannot afford the electricity for the farm. Why is my electricity unaffordable? The PUC has violated their fiduciary duty with the Citizens of Texas when their decisions do not keep the cost of electricity down and affordable and safe.

The billing uses meter multiplier's numbers [40] and load demand factor numbers [17-20] multiplied by the KWH or the Load factor, which are not allowed by Law. The electric companies have never replied to Appellant by letter with the formula that is being used during billing. This increases the amount owed to a unjust unaffordable rate. Rates are to be Just and Reasonable PUC 53.003. The SPS documents in the evidence show that SPS needs less electricity in the summer than winter. The Load Demand factors are used during the summer, The electric company state that they need the Load Demand factor in the summer for the load, but this is not true. It's not needed the electricity is always available.

Several bills need to be gone over in open court to show the formula for billing to prove the electricity is billed out uniformly to all customers.

SPS, nor XCEL nor the transmission line company's have a right of way with Laurance Kriegel. Laurance Kriegel's ownership map are in The General Land Office of Texas.

The flawed electric design by The Alternate Electric Windmill Projects is not in the interest of Texas Citizens, Public Utility Code, 36.0061. The flawed electricity is not safe and will cause unnecessary motor repair regardless of the size of the motor.

The billing uses meter multiplier's numbers [40] and load demand factor numbers [17-20] multiplied by the KWH or the Load factor, which are not allowed by Law. The electric companies have never replied to Appellant by letter with the formula that is being used during billing. This increases the amount owed to a unjust unaffordable rate. Rates are to be Just and Reasonable PUC 53.003. The SPS documents in the evidence show that SPS needs less electricity in the summer than winter. The Load Demand factors are used during the summer, The electric company state that they need the Load Demand factor in the summer for the load, but this is not true. It's not needed the electricity is always available.

Several bills need to be gone over in open court to show the formula for billing to prove the electricity is bill out uniformly to all customers.

Appellant has shown the PUC and SOAH that there are at least three approved Alternate Electric Windmill projects with a rate over \$1.35 per KWH. These facts violate PUC, 39.202 the Price to Beat. This price is not cheaper than conventionally produced electricity.

The approval of this proposed rate was turned in to the State Line Tribune before the hearing on Sept. 11, 2014 as already being approved. This type of action by SPS and Xcel should stop. See attached exhibit. Appellant can only ask, what is really going on? Motive? Conspiracy? Where is every one being trained?

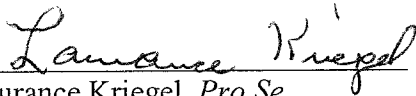
All the documents and expenses that are in exhibits 1-54 that have a mention of a Alternate Electric Windmill Project and Transmission Lines should be stricken from the record.

Wherefore Premises Considered SPS and/or XCEL Energy does not have legal standing to raise the rates or collect on any existing electric rate billed to this customer or a citizen, therefore the electric rate increase should not be approved.

Wherefore Premises Considered, all Electricity Windmill projects and Transmission Lines should be taken down and the land restored to normal.

Respectfully Submitted;

Dated Sept.16, 2014


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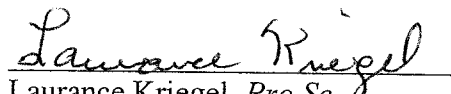
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Xcel Energy announces rate hike

BY MOLLIE BRYANT
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Xcel Energy announced Tuesday a 6.3 percent rate hike that will mean a monthly bill increase of \$6.58 per month for a typical 1,000 kilowatt-hour residential customer.

The company also announced a retroactive collection for new rates beginning in October, spokesman Wes Reeves said.

In January, Xcel proposed a \$52.7 million revenue increase to the Public Utility Commission and 80 Texas cities that receive the company's electric services.

Xcel, the Public Utility Commission and customer groups reached a settlement Tuesday

See **ELECTRICITY**, A8

ELECTRICITY

From A1

that is \$15.7 million less than the company's original proposal. The deal will allow Xcel to raise its revenue by \$37 million starting Oct. 1.

Xcel's original proposal involved starting the rate increase June 1 and under the agreement, the company plans to collect the rate hike retroactively for June through September, Reeves said.

Additional details on this temporary surcharge, including when it will go into effect and how it will be distributed, are unavailable, Reeves said.

On Tuesday, Xcel made a second proposal with the Public Utility Commission to add a temporary surcharge to bills in Texas for past under collection of fuel costs. If that proposal is approved, an average 1,000 kilowatt-hour bill will increase an additional \$2.70 per month, or 2.4 percent, starting in November. Xcel estimates the surcharge will last through April 30, although it could expire before that time, Reeves said.

"These two increases are unrelated but necessary changes to allow us to recover the higher costs of capital investment and fuel," said David Hudson, president

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DAVID HUDSON
president, CEO

and CEO of Southwestern Public Service Company, Xcel's Texas subsidiary.

"The fuel cost surcharge is temporary, but the base rate increase is to pay for increased costs associated with investment in the regional power grid."

In 2010, Xcel began projects to update its power facilities and build new infrastructure to meet increased customer demand. Over the next six years, Xcel plans to devote \$3.2 billion to new power lines, substations and power-generating facilities.

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THE STATE LINE TRIBUNE

"Official Publication of Parmer County"

SEPTEMBER 11, 2014

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103rd YEAR

50 CENTS

Xcel Energy raises rates

Xcel Energy, Public Utility Commission staff and key customer groups have reached an agreement in Xcel Energy's pending Texas rate case that allows Xcel Energy to raise its overall Texas retail revenues starting in October by \$37 million on an annual basis, or 3.5 percent.

This increase is less than the \$52.7 million, or 5.8 percent, revenue increase Xcel Energy originally sought in a

Continued on Page 4

Page 4 State Line Tribune September 11, 2014

Xcel Energy

From page 1

January 2014 proposal to the PUC and 80 Texas municipalities in which the company provides electric services.

Under the settlement rates filed last week, the typical 1,000 kilowatt-hour residential bill will rise on Oct. 1 by about 6.3 percent, or \$6.58 per month.

Also last week, Xcel Energy asked the PUC for authority to add a temporary surcharge on Texas bills to recover past under-collections of fuel costs. If approved, the surcharge would increase a typical 1,000 kilowatt-hour bill by \$2.70 per month, or 2.4 percent, starting Nov 1.