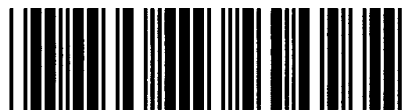




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APPLICATION OF SOUTHWESTERN §
 PUBLIC SERVICE COMPANY TO §
 ADJUST ITS ENERGY EFFICIENCY §
 COST RECOVERY FACTOR §

PUBLIC UTILITY COMMISSION
 PUBLIC UTILITY COMMISSION
 OF TEXAS
 FILING CLERK

ORDER REQUESTING BRIEFING ON THRESHOLD LEGAL/POLICY ISSUES

On May 1, 2015 Southwestern Public Service Company (SPS) filed an application to adjust its energy-efficiency cost recovery factor (EECRF) pursuant to P.U.C. Subst. R. 25.181. Rule 25.181(f) authorizes the Commission to approve an EECRF to recover all of a utility's forecasted annual energy efficiency program costs, the preceding year's over- or under-recovery that includes municipal and utility EECRF expenses, any performance bonus earned, and Evaluation, Measurement, and Verification costs allocated to the utility by the Commission. SPS is required to file an application on or before May 1st of each year to adjust its EECRF to become effective on January 1st of the following year.

To develop a statement of Commission policy, precedent, and/or position on threshold legal or policy issues relevant to this proceeding, any interested party may file a brief that addresses the following issues:

1. In SPS's most recent base-rate case,¹ did the Commission approve retail rate classes that should be used in this proceeding? If so, which retail rate classes did the Commission approve for purposes of this proceeding?
2. Can the agreement of the parties regarding the future applicability of retail rate classes approved by the Commission in Docket No. 42004² preclude the use of those retail rate

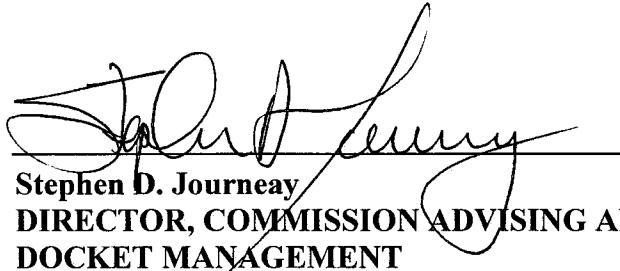
¹ *Application of Southwestern Public Service Company for Authority to Change Rates and to Reconcile Fule and Purchased Power Costs for the Period July 1, 2012 through June 30, 2013*, Docket No. 42004, Order (Dec. 19, 2014) (Docket No. 42004 Base-Rate Order).

classes in SPS's next EECRF proceeding? In answering this question, please address the definition of rate class in 16 TAC § 25.181(c)(49) and its applicability to § 25.181(f).

3. If the Commission did not approve retail rate classes in Docket No. 42004, or cannot use the retail rate classes referenced in Docket No. 42004, how should retail rate classes be defined for purposes of this proceeding?

Briefs on this issue are due by noon on May 27, 2015. After considering the briefs on the issues, the Commission will consider and possibly adopt a supplemental preliminary order at its open meeting currently scheduled for June 18, 2015 that will include its rulings on this briefing issue and any additional issues to be addressed in this docket.

SIGNED AT AUSTIN, TEXAS the 13th day of May 2015.



Stephen D. Journey
DIRECTOR, COMMISSION ADVISING AND
DOCKET MANAGEMENT

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