



Control Number: 46936



Item Number: 32

Addendum StartPage: 0

**P.U.C. DOCKET NO. 46936
SOAH DOCKET NO. 473-17-3539**

RECEIVED
2017 APR 11 PM 2:59
PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF SOUTHWESTERN	§	PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY FOR	§	
APPROVAL OF TRANSACTIONS	§	OF TEXAS
WITH ESI ENERGY, LLC AND	§	
INVENERGY WIND DEVELOPMENT	§	
NORTH AMERICA LLC, TO AMEND A	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY FOR WIND	§	
GENERATION PROJECTS AND	§	
ASSOCIATED FACILITIES IN HALE	§	
COUNTY, TEXAS AND ROOSEVELT	§	
COUNTY, NEW MEXICO, AND FOR	§	
RELATED APPROVALS	§	

ORDER OF REFERRAL

The Public Utility Commission of Texas 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 necessary to resolve any issues that are contested by the parties.

In order to develop a list of the issues to be addressed in this docket, as well as any necessary statement of Commission policy, precedent, or position on any threshold legal or policy issues relevant to this proceeding Southwestern Public Service Company, shall, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in the docket by **April 26, 2017**. This pleading may also identify any issues that should not be addressed in the docket, and identify any threshold legal and policy issues that should be briefed for purposes of a preliminary order. Specific explanations should support such issues identified in the pleading. Parties shall not file responses to any pleading submitted in response to this Order, unless specifically requested.

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 16 Texas

32

Administrative Code § 22.71(c) (TAC) regarding the number of copies to be filed or 16 TAC § 22.71(d) regarding the number of confidential items to be provided.

The Commission will issue and provide to SOAH a preliminary order that includes a list of issues and areas that must be addressed in this proceeding, under Texas Government Code § 2003.049(e), and any necessary statement of Commission policy, precedent, or position on threshold issues, or combination thereof, relevant to this proceeding, under Texas Government Code § 2001.058(c). The Commission will consider and possibly adopt a preliminary order in this docket in the open meeting currently scheduled to convene on **May 18, 2017**.

SIGNED AT AUSTIN, TEXAS the 11th day of April 2017.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Stephen Journey", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

**STEPHEN JOURNEY
DIRECTOR, COMMISSION ADVISING & DOCKET
MANAGEMENT**