



Control Number: 49495



Item Number: 25

Addendum StartPage: 0

**SOAH DOCKET NO. 473-19-4422
PUC DOCKET NO. 49495**

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FILED CLEAR

**APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE
PUBLIC SERVICE COMPANY TO §
ADJUST ITS ENERGY EFFICIENCY § OF
COST RECOVERY FACTOR §
§ ADMINISTRATIVE HEARINGS**

**SOAH ORDER NO. 2
ADOPTING PROPOSED PROCEDURAL SCHEDULE AND CANCELING
PREHEARING CONFERENCE; NOTICE OF HEARING;
ADDRESSING SUFFICIENCY OF APPLICATION AND NOTICE;
AND GRANTING MOTION TO INTERVENE**

**I. ADOPTING PROPOSED PROCEDURAL SCHEDULE AND
CANCELING PREHEARING CONFERENCE**

On June 10, 2019, Southwestern Public Service Company (SPS or Company) filed an Agreed Motion to Cancel Prehearing Conference. On June 7, 2019, SPS previously filed an Agreed Proposed Procedural Schedule. The Motion to Cancel the prehearing conference is **GRANTED**, and the following procedural schedule as set out below is **ADOPTED**. The prehearing conference scheduled for **June 11, 2019**, is **CANCELED**.

Event	Deadline
Deadline to Intervene	June 17, 2019
Deadline for Written Objections to SPS's Direct Testimony	June 24, 2019
Settlement Conference	July 1, 2019
Deadline for Serving Written Discovery On SPS's Direct Testimony	July 9, 2019
Intervenor Direct Testimony	July 19, 2019
Discovery Begins on Intervenor Direct Testimony	July 19, 2019
Staff Direct Testimony	July 26, 2019
Discovery Begins on Staff Direct Testimony	July 26, 2019
Deadline for Serving Written Discovery on Intervenor and Staff Testimony	August 1, 2019
SPS Rebuttal Testimony/Staff and Intervenor Cross Rebuttal	August 12, 2019

25

Event	Deadline
Discovery Begins on SPS Rebuttal/Staff and Intevenor Cross Rebuttal Testimony	August 12, 2019
Deadline for Serving Written Discovery on SPS Rebuttal/Staff and Intervenor Cross Rebuttal Testimony	August 16, 2019
Written Objections to Intervenor and Staff Direct Testimony and SPS Rebuttal Testimony/Staff and Intervenor Cross Rebuttal Testimony	August 16, 2019
Hearing on the Merits	August 28, 2019

II. NOTICE OF HEARING

IT IS, THEREFORE, ORDERED that the Administrative Law Judge (ALJ) will convene a hearing at **10:00 a.m. on August 28, 2019, at the State Office of Administrative Hearings, William P. Clements Building, 300 W. 15th Street, Fourth Floor, Austin, Texas.** The parties are advised that they must clear security at the front desk in the foyer of the Clements Building and they should allow sufficient time to complete the process.

III. SUFFICIENCY OF APPLICATION AND NOTICE

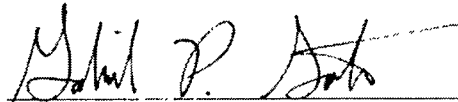
On May 29, 2019, Staff of the Public Utility Commission of Texas filed comments recommending that SPS's application and notice be deemed sufficient. The ALJ finds SPS's application and notice of the application sufficient.

IV. GRANTING MOTION TO INTERVENE

On May 14, 2019, Texas Industrial Energy Consumers (TIEC), timely filed a motion to intervene. The basis for TIEC's motion is that it is an association of industrial consumers of electricity with member companies that own and operate industrial facilities in SPS's service territory and that purchase electricity from SPS. Thus, TIEC notes that its members will be

impacted by any determination the Commission may make involving SPS's application. There were no objections to the motion, which is **GRANTED**.

SIGNED: June 10, 2019.

A handwritten signature in black ink, appearing to read "Gabriel P. Soto", written over a horizontal line.

GABRIEL P. SOTO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS