



Control Number: 49737



Item Number: 26

Addendum StartPage: 0

APPLICATION OF SOUTHWESTERN §
ELECTRIC POWER COMPANY FOR §
CERTIFICATE OF CONVENIENCE AND §
NECESSITY AUTHORIZATION AND §
RELATED RELIEF FOR THE §
ACQUISITION OF WIND GENERATION §
FACILITIES §

RECEIVED
2019 JUL 26
PUBLIC UTILITY COMMISSION
OF TEXAS

**MOTION TO INTERVENE OF
EAST TEXAS ELECTRIC COOPERATIVE, INC.
AND
NORTHEAST TEXAS ELECTRIC COOPERATIVE, INC.**

NOW COMES East Texas Electric Cooperative, Inc. (“ETEC”) and Northeast Texas Electric Cooperative, Inc. (“NTEC”) and file this Motion to Intervene in the above-referenced docket and in support thereof would show the following:

I.

On July 15, 2019, Southwestern Electric Power Company (“SWEPCO”) filed its Application for Certificate of Convenience and Necessity Authorization and Related Relief for the Acquisition of Wind Generating Facilities.

II.

ETEC and NTEC are wholesale power customers of SWEPCO and transmission customers in the Southwest Power Pool (“SPP”). As such, their interests may be adversely affected by the outcome of this proceeding. Accordingly, they respectfully submit that each has standing to intervene in this proceeding under the Public Utility Regulatory Act and 16 Texas Administrative Code § 22.103(b)(2).

ETEC is a generation and transmission (“G&T”) cooperative headquartered in Nacogdoches, Texas. ETEC generates and purchases wholesale electric power from various sources. ETEC then resells that power to its member cooperatives, including a G&T cooperative, NTEC, and ultimately ten member distribution cooperatives, which provide retail electric service

to their members. Those ten member distribution cooperatives serve members in portions of over 40 east Texas counties, including within SPP and areas adjoining and overlapping portions of the service area of SWEPCO. NTEC is a G&T cooperative headquartered in Longview, Texas.

As mentioned above, ETEC and NTEC are wholesale power customers of SWEPCO and currently have power supply agreements with SWEPCO. Both ETEC and NTEC were granted party status in SWEPCO's most recent base rate case as well as SWEPCO's previous case concerning a proposed acquisition of wind generating facilities.¹ And both have received or will receive direct mail notice of this proceeding.²

ETEC and NTEC may be adversely affected by the allocation of power costs associated with this project. Moreover, any effects on Locational Marginal Prices within SPP may affect ETEC and NTEC. Similarly, the changes in dispatch of local generation that this project is expected to cause may adversely affect ETEC and NTEC. Additionally, ETEC and NTEC are transmission customers in SPP. Both may be adversely affected by the allocation of costs associated with the any new transmission investment this project necessitates.

Accordingly, ETEC and NTEC each have a justiciable interest that may be adversely affected by the outcome of this proceeding and each is entitled to party status.

III.

The name, address and telephone number of the ETEC's representative is as follows:

Ryan Thomas
East Texas Electric Cooperative, Inc.
P.O. Box 631623
Nacogdoches, Texas 75963-1623
(936) 560-9532

¹ SOAH Docket No. 473-17-1764, PUC Docket No. 46449, *Application of Southwestern Electric Power Company for Authority to Change Rates*, SOAH Order No. 4 (Feb. 24, 2017); and SOAH Docket No. 473-17-5481; PUC Docket No. 47461, *Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Wind Catcher Energy Connection Project*, SOAH Order No. 4 (Oct. 12, 2017).

² Application at 8-9 (Jul. 15, 2019).

The name, address and telephone number of NTEC's representative is as follows:

Richard M. Tyler
Northeast Texas Electric Cooperative, Inc.
2221 H.G. Mosley Parkway, Suite 100
Longview, Texas 75604
903-757-3282

IV.

The name, address and telephone number of ETEC and NTEC's legal authorized representatives are as follows:

Mark C. Davis
Adrienne M. Waddell
Jacob J. Lawler
Holland & Knight, LLP
111 Congress Avenue, Suite 540
Austin, Texas 78701
(512) 472-1081
(512) 472-7473 FAX

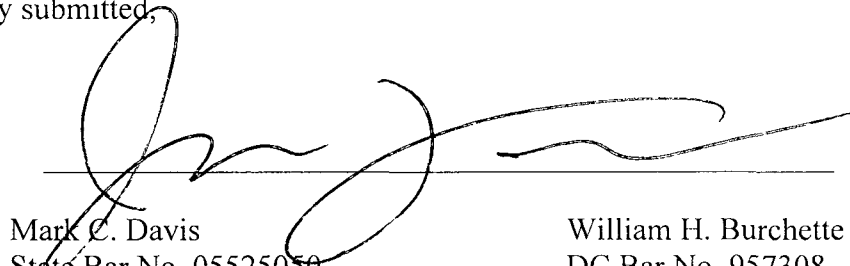
William H. Burchette
W. Patrick Burchette
F. Alvin Taylor
Holland & Knight, LLP
800 17th Street, N.W.
Suite 1100
Washington, D.C. 20006
(202) 955-3000
(202) 955-5564 FAX

ETEC and NTEC respectfully request that the Commission and all parties to this proceeding serve copies of all notices, correspondence, pleadings, briefs, requests for information, and other documents upon said legal representatives.

V.

WHEREFORE, PREMISES CONSIDERED, ETEC and NTEC respectfully move to intervene in this docket, as parties with all rights thereof. ETEC and NTEC also request all relief to which they may be entitled.

Respectfully submitted,



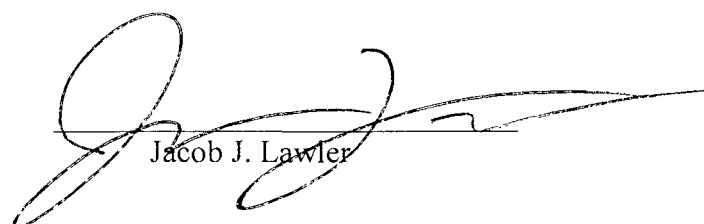
Mark C. Davis
State Bar No. 05525050
Adrienne M. Waddell
State Bar No. 24098556
Jacob J. Lawler
State Bar No. 24076502
HOLLAND & KNIGHT, LLP
111 Congress Avenue, Suite 540
Austin, Texas 78701
(512) 472-1081 OFFICE
(512) 472-7473 FAX

William H. Burchette
DC Bar No. 957308
W. Patrick Burchette
DC Bar No. 1010944
F. Alvin Taylor
DC Bar No. 468545
HOLLAND & KNIGHT, LLP
800-17th Street, N.W., Suite 1100
Washington, DC 20006
(202) 955-3000 OFFICE
(202) 955-5564 FAX

**ATTORNEYS FOR EAST TEXAS ELECTRIC COOPERATIVE, INC.
AND
NORTHEAST TEXAS ELECTRIC COOPERATIVE, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was hand-delivered and/or mailed this 26th day of July, 2019 by First Class, U.S. Mail, postage pre-paid to all parties of record.



Jacob J. Lawler