



Control Number: 52072



Item Number: 32

Peter M. Lake
Chairman
Will McAdams
Commissioner
Lori Cobos
Commissioner
Jimmy Glotfelty
Commissioner



20 SEP 20 AM 10:56

Greg Abbott
Governor
Thomas J. Gleeson
Executive Director

Public Utility Commission of Texas

TO: Peter M. Lake, Chairman
Will McAdams, Commissioner
Lori Cobos, Commissioner
Jimmy Glotfelty, Commissioner

All Parties of Record
FROM: Stephen Journeay, Commission Counsel
DATE: 20 September, 2021
RE: Docket No. 52072; SOAH Docket No. 473-21-2425 – *Application of Southwestern Public Service Company to Adjust its Energy Efficiency Cost Recovery Factor.*

OPDM has identified the following evidentiary issue that requires explanation from the parties to facilitate the preparation of a proposed order.

The parties' joint proposed order states in finding of fact 38 below that SPS is entitled to recover \$22,980 in rate-case expenses. Please identify the record evidence reflecting the affidavit or testimony of a licensed attorney supporting the reasonableness of this amount.

38. In its application, SPS included the testimony of Jeremiah W. Cunningham. In reaching his opinion on the reasonableness and necessity of SPS's rate-case expenses, Mr. Cunningham relied on the factors in 16 TAC § 25.245(b). In his testimony, Mr. Cunningham stated that SPS's rate-case expenses incurred in its 2020 EECRF proceeding, Docket No. 50804, in the amount of \$22,980 were reasonable and necessary.

OPDM requests responses to this issue by Monday, September 27, 2021 at 3:00 PM. If there is not an affidavit or testimony of a licensed attorney supporting the finding above, please file a motion to admit this additional evidence.

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