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DOCKET NO. 52485

APPLICATION OF SOUTHWESTERN	§	PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY TO	§	
AMEND ITS CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY TO	§	
CONVERT HARRINGTON	§	
GENERATING STATION FROM	§	
COAL TO NATURAL GAS		

**COMMISSION STAFF'S RECOMMENDATION ON THE APPLICATION, NOTICE,
AND REQUEST FOR REFERRAL TO THE STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

On August 27, 2021, Southwestern Public Service Company (SPS) filed an application to amend its Certificate of Convenience and Necessity (CCN) to convert the three generation units at Harrington Generating Station from coal generation to natural gas generation.

On October 5, 2021, the administrative law judge (ALJ) filed Order No. 3, requiring the Staff of the Public Utility Commission (Staff) of Texas to file a recommendation on the sufficiency of the application and notice and to propose a procedural schedule by November 4, 2021. Therefore, this pleading is timely filed.

I. APPLICATION SUFFICIENCY

Staff has reviewed the application and recommends that the application be found sufficient for further processing. This recommendation does not address the merits of the application.

II. NOTICE SUFFICIENCY

Staff has reviewed SPS's proposed form of notice and method for serving notice and recommends that SPS's direct and published notices included all required information and were provided in compliance with the requirements of 16 TAC § 22.52(a). Therefore, Staff recommends that SPS's notice be found sufficient.

III. REQUEST FOR REFERRAL TO STATE OFFICE OF ADMINISTRATIVE HEARINGS

Staff respectfully requests an order referring this docket to the State Office of Administrative Hearings (SOAH) for a hearing on the merits, and Staff does not propose a procedural schedule at this time.

IV. CONCLUSION

Based on the foregoing, Staff respectfully requests that the application be deemed sufficient for further processing of this docket, SPS's provision of notice be found sufficient, and that this docket be referred to SOAH.

Dated: October 5, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on October 5, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Mildred Anaele
Mildred Anaele