



## Filing Receipt

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**PUC DOCKET NO. 52485**

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

**OFFICE OF PUBLIC UTILITY COUNSEL’S  
MOTION TO INTERVENE**

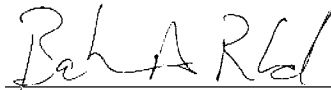
Pursuant to Texas Utilities Code §§ 13.001 and 13.003(a)(3)(A)-(B), and 16 Texas Administrative Code (“TAC”) § 22.103(d), the Office of Public Utility Counsel (“OPUC”) moves to intervene in this proceeding as a matter of right on behalf of the residential and small commercial consumers in Southwestern Public Service Company’s (“SPS”) service territory. OPUC’s Interim Public Counsel has determined that residential and small commercial consumers in SPS’s service territory are in need of representation in this proceeding. Therefore, OPUC has standing to participate in this proceeding that is expressly conferred by statute.

A review of the records in this proceeding indicates that the deadline to intervene in this case was November 19, 2021. This case was filed while OPUC was going through a transition period characterized with staff turnovers. While OPUC is aware that the deadline to intervene has passed, the rules allow for late intervention under 16 TAC § 22.104(d). OPUC has reached out to all the intervenors and the applicant regarding the filing of this motion. SPS, Commission Staff, Texas Industrial Energy Consumers, Alliance of Xcel Municipalities, and Sierra Club are unopposed to the OPUC’s Motion to Intervene. Hugh Reed, who filed motions to intervene on behalf of Adobe Creek, Ltd. and Windtree Manor, Ltd., has not replied to OPUC’s inquiry on their positions regarding this motion. Consistent with 16 TAC § 22.104 (d)(1)(C) – (E), OPUC does not believe any party will be prejudiced or face additional burdens as a result of its intervention, OPUC’s intervention will not result in delays to this proceeding, and the public interest will be served by granting OPUC’s intervention.

Dated: December 13, 2021

Respectfully submitted,

Chris Ekoh  
Interim Public Counsel  
State Bar No. 06507015

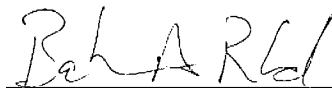


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ATTORNEYS FOR THE  
OFFICE OF PUBLIC UTILITY COUNSEL

**CERTIFICATE OF SERVICE**  
PUC DOCKET NO. 52485

I hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 13<sup>th</sup> day of December by facsimile, electronic mail, and/or first class, U.S. Mail.



Barham A. Richard