



## Filing Receipt

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**SOAH DOCKET NO. 473-22-1073  
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<b>APPLICATION OF SOUTHWESTERN</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>PUBLIC SERVICE COMPANY TO</b>	<b>§</b>	
<b>AMEND ITS CERTIFICATE OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY TO</b>	<b>§</b>	<b>OF</b>
<b>CONVERT HARRINGTON</b>	<b>§</b>	
<b>GENERATING STATION FROM COAL</b>	<b>§</b>	
<b>TO NATURAL GAS</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**JOINT PROPOSED PROCEDURAL SCHEDULE**

Consistent with the instructions in SOAH Order No. 2, the Alliance of Xcel Municipalities (“AXM”), the Office of Public Utility Counsel (“OPUC”), Texas Industrial Energy Consumers (“TIEC”), Sierra Club, Southwestern Public Service Company (“SPS”), and Staff of the Public Utility Commission of Texas (“Staff”) (collectively, the “Parties”) file this recommendation on the procedural schedule and agreed special provisions. This schedule and the associated agreed special provisions are the subject of compromise and are not binding on the Parties for purposes of future schedules and special provisions and are of no precedential value in other proceedings.

**I. JOINT SCHEDULE AND AGREED SPECIAL PROVISIONS**

Event	Date
SPS Application Filed	Friday, August 27, 2021
Staff Comments on Notice and Application	Thursday, September 30, 2021
Briefing on Commission Authority	Thursday, September 30, 2021
Intervention Deadline	Monday, October 11, 2021
Objections to SPS's Direct Testimony	Friday, November 19, 2021
Replies to Objections to SPS Direct Testimony	Friday, November 26, 2021
Settlement Conference	Monday, February 28, 2022
Deadline to Serve Written Discovery on SPS Direct Testimony	Monday, February 28, 2022
Intervenors Direct Testimony	Friday, March 25, 2022
Objections to Intervenor Direct	Tuesday, April 5, 2022
Staff Direct Testimony	Tuesday, April 5, 2022
Settlement Conference	Friday, April 8, 2022
End of Discovery on Intervenor Direct	Monday, April 11, 2022

Objections to Staff Direct	Tuesday, April 12, 2022
Replies to Objections to Intervenor Direct	Tuesday, April 12, 2022
End of Discovery on Staff Direct	Wednesday, April 13, 2022
SPS Rebuttal Testimony and Intervenor and Staff Cross-Rebuttal	Wednesday, April 13, 2022
Replies to Objections to Staff Direct	Wednesday, April 13, 2022
Settlement Conference	Thursday, April 14, 2022
Objections to Rebuttal/Cross-Rebuttal	Wednesday, April 20, 2022
End of Discovery on Rebuttal/Cross-Rebuttal	Wednesday, April 20, 2022
Replies to Objections on Rebuttal/Cross-Rebuttal	Live at Hearing
Hearing on the Merits	April 26-28, 2022
Initial Briefs	Wednesday, May 11, 2022

Additionally, the Parties agree that the following additional terms also apply to this proceeding:

1. The parties agree to service by email and that SPS may serve discovery responses through electronic means.
2. Drafts of testimonies and emails transmitting drafts of testimonies are not discoverable.
3. Workpapers are due 1 working day after filing of testimony.
4. For written discovery on SPS direct testimony:
  - a. Responses are due within 10 working days of the discovery request;
  - b. Objections are due within 5 working days of the discovery request;
  - c. Motions to compel are due within 3 working days of an objection; and
  - d. Responses to motions to compel are due within 3 working days of the motion to compel.
5. For written discovery on Intervenor and Staff Direct Testimony:
  - a. Responses are due within 7 working days of the discovery request;
  - b. Objections are due within 5 working days of the discovery request;
  - c. Motions to compel are due within 3 working days of an objection; and
  - d. Responses to motions to compel are due within 3 working days of the motion to compel.

6. For written discovery on SPS Rebuttal Testimony and Staff and Intervenor Cross Rebuttal Testimony:
- a. Responses are due within 4 working days of the discovery request;
  - b. Objections are due within 3 working days of the discovery request;
  - c. Motions to compel are due within 2 working days of an objection; and
  - d. Responses to motions to compel are due within 2 working days of the motion to compel.

## **II. CONCLUSION AND REQUEST FOR RELIEF**

The Parties respectfully request that the SOAH administrative law judges (1) adopt the joint proposed procedural schedule, (2) adopt the special provisions related to the conduct of the proceeding, and (3) grant such other relief to which the Parties may be justly entitled.

Respectfully Submitted,

/s/ Mark A. Santos

Mark A. Santos  
State Bar No. 24037433  
Kate Norman  
State Bar No. 24051121  
C. Glenn Adkins  
State Bar No. 24103097  
COFFIN RENNER LLP  
1011 West 31<sup>st</sup> Street  
Austin, Texas 78705  
(512) 879-0900  
(512) 879-0912  
mark.santos@crtxlaw.com  
kate.norman@crtxlaw.com  
glenn.adkins@crtxlaw.com

## **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 January 11, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Mark A. Santos

Mark A. Santos