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**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**APPLICATION OF SOUTHWESTERN PUBLIC SERVICE COMPANY TO
ADJUST ITS ENERGY EFFICIENCY COST RECOVERY FACTOR**

PUC DOCKET NO. 53540

**ORDER NO. 3
GRANTING MOTION TO ADMIT EVIDENCE, REMANDING CASE, AND
DISMISSING CASE FROM SOAH DOCKET**

On June 24, 2022, Southwestern Public Service Company (SPS) and Staff of the Public Utility Commission (Staff) filed a Joint Motion to Admit Evidence and Remand to the Public Utility Commission of Texas (Motion). SPS and Staff have entered into an Unopposed Stipulation (Stipulation), filed on June 24, 2022, resolving all issues in this docket, to which Texas Industrial Energy Consumers (TIEC) is unopposed. The Motion requests that the settled case be returned to the Public Utility Commission of Texas (Commission) for final disposition in accordance with the Stipulation. Attachment C to the Stipulation is a Proposed

Order for the Commission’s consideration. The Motion also requests that the Administrative Law Judge dismiss this proceeding from the docket of the State Office of Administrative Hearings (SOAH).

In the Motion, the parties request admission of the following exhibits to support the Agreement:

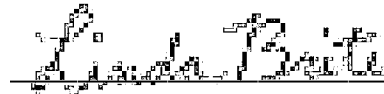
Document	Commission Interchange Item Number
Application of SPS to Adjust its Energy Efficiency Cost Recovery Factor, including attachments, filed April 29, 2022;	1
Direct Testimony of Jeremiah W. Cunningham and attachments, filed April 29, 2022;	2
Direct Testimony of Taylor J. Hurt and attachments, filed April 29, 2022;	3
Direct Testimony of Jeremy M. Lovelady and attachments, filed April 29, 2022;	4
Direct Testimony of Mark Schoenheider and attachments, filed April 29, 2022;	5
SPS’ s Affidavit of Proof of Notice, filed May 11, 2022;	9
Commission Staff’s Recommendation on Sufficiency of Notice and Application, attaching memoranda of James Harville, Charles Rudolph, and Frederick Quijano, filed June 17, 2022;	19
Stipulation and attachments, filed June 24, 2022.	20

The parties' motion to admit the evidence listed above is **GRANTED**. SPS **SHALL** submit an electronic version of the Proposed Order (Attachment C to the Stipulation) to the Commission via cadmorders@puc.texas.gov.

For good cause shown in the Motion and the Stipulation, this case is **REMANDED** to the Commission and **DISMISSED** from SOAH's docket.

SIGNED JULY 11, 2022.

ALJ Signature:

A handwritten signature in black ink, appearing to read "Linda Brite", is positioned above a solid horizontal line.

LINDA BRITE,

Presiding Administrative Law Judge