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**APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY TO §
ADJUST ITS ENERGY EFFICIENCY § OF TEXAS
COST RECOVERY FACTOR §**

**SOUTHWESTERN PUBLIC SERVICE COMPANY'S
INDEX OF DOCUMENTS IN ITS APPLICATION THAT CONTAIN
CONFIDENTIAL OR HIGHLY SENSITIVE PROTECTED MATERIALS**

In accordance with Paragraph 4 of the Protective Order requested in this docket, Southwestern Public Service Company (“SPS”) files this index of documents in its application that contain Confidential Information or Highly Sensitive Protected Material. An index of the documents containing Confidential Information or Highly Sensitive Protected Material is attached as Exhibit A. This index indicates for each document:

- (a) the designation of information as Confidential or Highly Sensitive;
- (b) a description of the document;
- (c) the applicable exemptions under the Public Information Act of Texas (“PIA”);
- (d) an explanation of the designation of Confidential or Highly Sensitive; and
- (e) certification that the designation is made in good faith.

Respectfully submitted,



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ATTORNEYS FOR SOUTHWESTERN PUBLIC SERVICE COMPANY

CERTIFICATE OF SERVICE

I certify that on May 4, 2022, a true and correct copy of the foregoing instrument was served on all parties of record by electronic service, hand delivery, Federal Express, regular first class mail, certified mail, or facsimile transmission.



Patrick Pearsall

EXHIBIT A – INDEX OF DOCUMENTS

Attachment MRS-3 (CONF)

- a. Designation of Information:** Confidential
- b. Description of Document:** List of Energy Efficiency Service Providers (“EESPs”) receiving five percent or more of incentive program payments.
- c. Applicable Exemptions:** PIA §§ 552.101 and 552.110, and 16 Tex. Admin. Code § 25.182(d)(10)(H)
- d. Explanation of Designation:** This attachment contains information related to contracts with EESPs and administrators who received incentive payments from SPS. This information is confidential and commercially sensitive such that if publicly disclosed would cause substantial competitive harm to SPS or third parties. The information contained in this attachment is specifically treated as confidential pursuant to 16 Tex. Admin. Code § 25.182(d)(10)(H).
- e. Certification of Counsel:** The undersigned counsel has reviewed the information sufficiently to state in good faith that the information is exempt from discovery under the PIA and is entitled to its classification as specified above.