



## **Filing Receipt**

**Filing Date - 2024-05-16 10:50:39 AM**

**Control Number - 56570**

**Item Number - 13**

**SOAH DOCKET NO. 473-24-17666  
PUC DOCKET NO. 56570**

<b>APPLICATION OF SOUTHWESTERN</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>PUBLIC SERVICE COMPANY TO</b>	<b>§</b>	
<b>ADJUST ITS ENERGY EFFICIENCY</b>	<b>§</b>	<b>OF TEXAS</b>
<b>COST RECOVERY FACTOR</b>	<b>§</b>	

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF THE  
APPLICATION**

**I. INTRODUCTION**

On May 1, 2024, Southwestern Public Service Company (SPS) filed an application to adjust its energy-efficiency cost recovery factor (EECRF) for program year 2025 under section 39.905 of the Public Utility Regulatory Act (PURA)<sup>1</sup> and 16 Texas Administrative Code (TAC) §§ 25.181 and 25.182.

On May 6, 2024, the SOAH administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the sufficiency of the application for purposes of further review by May 16, 2024. Therefore, this pleading is timely filed.

**II. RECOMMENDATION REGARDING SUFFICIENCY OF THE APPLICATION**

Staff has reviewed SPS’s application and recommends that the application be found to have provided the requisite information required under 16 TAC § 25.182(d). Specifically, pursuant to 16 TAC § 25.182(d)(8), a utility in an area in which customer choice is offered must file the application to adjust its EECRF by no later than June 1 of each year. Additionally, under 16 TAC § 25.182(d)(10), an EECRF application must include testimony and schedules in excel format with intact formulas for each retail rate class for the prior program year and the proposed program year. The application, including testimonies and schedules, must address thirteen metrics identified in 16 TAC § 25.182(d)(10). Furthermore, under 16 TAC § 25.182(d)(11), the application must address ten factors, if applicable, to support the recovery of energy efficiency costs.

Staff recommends that SPS’s application be deemed sufficient. SPS filed its EECRF application on May 1, 2024. The application includes testimony of five subject-matter experts to support its application. In addition, SPS provided excel spreadsheets with formula separated by

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<sup>1</sup> Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.017 (PURA).

retail rate class for 2023 and 2025. Staff's review indicates that SPS provided, addressed, or at least attempted to address most of the metrics and factors listed in 16 TAC § 25.182(d)(10)-(11).

Staff reserves the right to later assert certain thresholds required by the aforementioned provisions and to require SPS to supplement the application. Staff may also require SPS to supplement its application following discovery.

### **III. CONCLUSION**

Staff respectfully requests the entry of an order consistent with the above recommendations.

Dated: May 16, 2024

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 will be provided to all parties of record via electronic mail on May 16, 2024, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Markel Perkins  
Markel Perkins