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DOCKET NO. 56921

APPLICATION OF SOUTHWESTERN	§	PUBLIC UTILITY COMMISSION
PUBLIC SERVICE COMPANY TO	§	
AMEND ITS INTERRUPTIBLE CREDIT	§	OF TEXAS
OPTION TARIFF, AND FOR APPROVAL	§	
OF A SOUTHWEST POWER POOL	§	
INTEGRATED MARKETPLACE	§	
DEMAND RESPONSE OPTION TARIFF	§	
AND AN OFF-PEAK ALTERNATE	§	
RIDER	§	

**GOLDEN SPREAD ELECTRIC COOPERATIVE, INC.'S
UNOPPOSED MOTION TO INTERVENE AND
MOTION TO FIND GOOD CAUSE TO GRANT LATE INTERVENTION**

Pursuant to 16 Tex. Admin. Code (TAC) §§ 22.103 and 22.104, Golden Spread Electric Cooperative, Inc. (Golden Spread) files this Unopposed Motion to Intervene in the above-captioned proceeding pending before the Public Utility Commission of Texas (PUC or Commission). Pursuant to 16 TAC § 22.5(b) and 22.104(d), Golden Spread also seeks a good cause exception to be admitted as an intervenor after the intervention deadline established in Order No. 2. Golden Spread represents it has conferred with counsel of record for all parties to this docket and that such parties are unopposed to Golden Spread's motion to intervene.

I. IDENTITY OF INTERVENOR

Golden Spread is a not-for-profit electric generation and transmission cooperative organized under Texas law with its principal place of business at 905 South Fillmore, Suite 300, Amarillo, Texas 79101-3541. Its main corporate purpose is to supply cost effective and reliable wholesale electric power and energy to its 16 member not-for-profit distribution cooperatives (Members).¹ Golden Spread's Members serve over 308,000 retail electric meters serving their

¹ Golden Spread's sixteen (16) distribution cooperative members operate in Texas. They are Bailey County Electric Cooperative Association (Muleshoe, Texas); Big Country Electric Cooperative, Inc. (Roby, Texas); Coleman County Electric Cooperative, Inc. (Coleman, Texas); Concho Valley Electric Cooperative, Inc. (San Angelo, Texas); Deaf Smith Electric Cooperative, Inc. (Hereford, Texas); Greenbelt Electric Cooperative, Inc. (Wellington, Texas); Lamb County Electric Cooperative, Inc. (Littlefield, Texas); Lighthouse Electric Cooperative, Inc. (Floydada, Texas); Lyntegar Electric Cooperative, Inc. (Tahoka, Texas); North Plains Electric Cooperative, Inc. (Perryton, Texas); Rita Blanca Electric Cooperative, Inc. (Dalhart, Texas); South Plains Electric Cooperative, Inc. (Lubbock, Texas); Southwest Texas Electric Cooperative, Inc. (Eldorado, Texas); Swisher Electric Cooperative, Inc. (Tulia, Texas); Taylor Electric Cooperative, Inc. (Merkel, Texas), and Tri-County Electric Cooperative, Inc. (Hooker, Oklahoma).

member-consumers located over an expansive area, including the Panhandle, South Plains, and Edwards Plateau regions of Texas (an area covering 24% of the state), the Panhandle of Oklahoma, and small portions of Southwestern Kansas and Southeastern Colorado. Golden Spread is a person within the meaning of 16 TAC §§ 22.2(31) and 22.103.

II. REPRESENTATIVES

The names, addresses, and telephone numbers of Golden Spread's authorized legal representatives for this proceeding are:

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The name, address, and telephone number of Golden Spread's authorized business representation for this proceeding is:

Stephanie Wells
Golden Spread Electric Cooperative, Inc.
PO Box 9898
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Golden Spread requests that all correspondence, pleadings, requests for information, responses to requests for information, and other documents in this proceeding be served upon Carl R. Galant at cgalant@mcginnislaw.com, Travis Vickery at tvickery@mcginnislaw.com, and Stephanie Wells at swells@gsec.coop and legalservice@gsec.coop.

III. JUSTICIABLE INTEREST

Golden Spread has standing to intervene in this proceeding because it is an "affected person" within the meaning of Section 11.003 of the Public Utility Regulatory Act (PURA),² and an "intervenor" within the meaning of 16 TAC §§ 22.2(25) and 22.103. A person has

² TEX. UTIL. CODE §§ 11.001–66.016.

standing to intervene in a Commission proceeding if that person has or represents persons with a justiciable interest that may be adversely affected by the outcome of the proceeding.³

On August 23, 2024, Southwestern Public Service Company (SPS) filed the above-referenced application. Golden Spread is a wholesale transmission, wholesale power supply, and a retail service customer of SPS. In particular, Golden Spread and its wholly owned affiliate, Panhandle Wind Ranch, LLC, purchase electricity at retail from SPS at three power generating facilities in Texas: Mustang Station, Antelope Station, and Golden Spread Panhandle Wind Ranch. Golden Spread purchases power under contracts that pass through all of the costs and any credits associated with operating these facilities, including retail electric service charges. Golden Spread purchases retail electricity from SPS under SPS's Large General Service-Transmission (LGST) tariff, which SPS seeks to amend in this docket to add the Off-Peak Alternate rider. Accordingly, Golden Spread has a justiciable interest in this proceeding, and no other entity can adequately represent Golden Spread's interests.

IV. GOOD CAUSE TO GRANT MOTION TO INTERVENE

Pursuant Order No. 2 in this docket, the intervention deadline was October 7, 2024.⁴ Golden Spread seeks a good cause exception to be admitted after the intervention deadline under 16 TAC §§ 22.5(b) and 22.104(d).⁵ A late filed motion to intervene may be granted by the presiding officer after considering:

- (A) any objections that are filed;
- (B) whether the movant had good cause for failing to file the motion within the time prescribed;
- (C) whether any prejudice to, or additional burdens upon, the existing parties might result from permitting the late intervention;
- (D) whether any disruption of the proceeding might result from permitting late intervention; and
- (E) whether the public interest is likely to be served by allowing the intervention.⁶

³ 16 TAC § 22.103.

⁴ Order No. 2 at 1 (Sept. 10, 2024).

⁵ 16 TAC § 22.5(b) states: "Good cause exception. Notwithstanding any other provision of this chapter, the presiding officer may grant exceptions to any requirement in this chapter or in a commission-prescribed form for good cause."

⁶ 16 TAC § 22.104(d).

Good cause exists for the presiding officer to grant Golden Spread's motion to intervene:

- Golden Spread does not have a record of receiving direct notice of the application and did not discover its existence until October 8, 2024;
- Golden Spread has contacted counsel for the parties to this docket (SPS, Commission Staff, and Texas Industrial Energy Consumers (TIEC)), and they are not opposed to Golden Spread's motion to intervene. Thus, there are no objections to Golden Spread's motion to intervene;
- Golden Spread's motion to intervene is filed one day after the intervention deadline. Permitting the late intervention will not prejudice, or place additional burdens upon, the existing parties. Nor is there any disruption of the proceeding that might result from permitting late intervention, given the early status of the procedural schedule and the fact that at least one intervenor, TIEC, has requested a hearing; and
- As Golden Spread is a customer of SPS under the LGST rate that SPS seeks to amend in this docket, the public interest will be served by admitting Golden Spread, which has a justiciable interest in this proceeding.

WHEREFORE, PREMISES CONSIDERED, Golden Spread respectfully requests that this Unopposed Motion to Intervene be granted, that the presiding officer find that Golden Spread has established good cause to be admitted as a party in this proceeding for all purposes, and that Golden Spread have such other and further relief to which it may show itself entitled.

Respectfully submitted,



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ATTORNEYS FOR GOLDEN SPREAD
ELECTRIC COOPERATIVE, INC.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been served on all parties of record in this proceeding as required by order or in accordance with 16 Tex. Admin. Code § 22.74, on October 8, 2024.



Carl R. Galant