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DOCKET NO. 56921

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

**ORDER NO. 4
GRANTING LATE-FILED MOTION TO INTERVENE AND ADDRESSING HEARING
REQUEST**

This Order addresses the late-filed motion to intervene filed by Golden Spread Electric Cooperative, Inc. on October 8, 2024. In Order No. 2 filed on September 10, 2024, the deadline to intervene in this proceeding was established as October 7, 2024. Golden Spread contends that good cause exists for granting its untimely motion to intervene and states that it was unaware of the application at issue in this proceeding until October 8, 2024, that it filed its motion to intervene one day after the intervention deadline, and that it has a justiciable interest in the proceeding. Golden Spread further states that it has contacted the other parties to this docket and that no party is opposed to Golden Spread’s motion to intervene.

Under 16 Texas Administrative Code (TAC) § 22.104(d)(1), a motion to intervene that was not timely filed may be granted. In considering whether to grant or deny a late-filed intervention, the administrative law judge (ALJ) must consider: (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 burden 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.”¹

¹ 16 TAC § 22.104(d)(1)(A-E).

After considering the factors in 16 TAC § 22.104(d)(1), the ALJ finds that Golden Spread had good cause for filing the motion to intervene after the October 7, 2024 intervention deadline. Golden Spread presented a justiciable interest that may be adversely affected by the outcome of this proceeding. No party objected to the motion. Accordingly, the ALJ grants the motion.

For service of pleadings, the service list in this proceeding is available from the Public Utility Commission of Texas by emailing Docket Management at CADMOOrders@puc.texas.gov and requesting a copy of the service list in Docket No. 56921. **Service of pleadings is typically governed by 16 TAC § 22.74. However, the Commission has issued a Second Order Suspending Rules,² which has suspended certain service requirements found in 16 TAC § 22.74. Accordingly, a filing party must provide notice by e-mail of any pleading or document filed. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.**

All parties must provide their current address, **e-mail address**, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. **The e-mail addresses**, telephone and fax numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

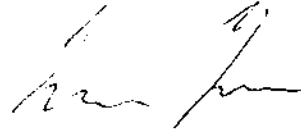
Filing of pleadings is typically governed by 16 TAC § 22.71. However, the Commission's Second Order Suspending Rules suspended certain filing requirements found in 16 TAC § 22.71. As long as the Second Order Suspending Rules remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website (<https://interchange.puc.texas.gov/filer>) and provide notice, by e-mail, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

² *Issues Related to the State of Disaster for the Coronavirus Disease*, Docket No. 50664, Second Order Suspending Rules (July 16, 2020).

Texas Industrial Energy Consumer's request for a hearing will be addressed in a future order.

Signed at Austin, Texas on the 18th day of October 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Eric Yoon", is written over a horizontal line.

**ERIC YOON
ADMINISTRATIVE LAW JUDGE**