



Filing Receipt

Filed Date - 2025-05-22 11:47:50 AM

Control Number - 58017

Item Number - 20

**SOAH DOCKET NO. 473-25-18477
PUC DOCKET NO. 58017**

| | | |
|-------------------------------------|----------|--------------------------------|
| APPLICATION OF SOUTHWESTERN | § | BEFORE THE STATE OFFICE |
| PUBLIC SERVICE COMPANY TO | § | OF |
| ADJUST ITS ENERGY EFFICIENCY | § | ADMINISTRATIVE HEARINGS |
| COST RECOVERY FACTOR | § | |

**COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO
SOUTHWESTERN PUBLIC SERVICE COMPANY
QUESTION NOS. STAFF 3-1 THROUGH 3-9**

Pursuant to 16 Texas Administrative Code (TAC) § 22.144 of the Commission's Procedural Rules, the Staff (Staff) of the Public Utility Commission of Texas (Commission) requests that Southwestern Public Service Company provide the following information and answer the following questions under oath. The questions shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.

Provide responses to the Requests for Information by filing with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer pursuant to the Second Order Suspending Rules in Project No. 50664.

Dated: May 22, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
Division Director

John York Harrison
Senior Managing Attorney

/s/ Tyler Xu
Tyler Xu
State Bar No. 24137713
Dylan King
State Bar No. 24131431
1701 N. Congress Avenue
P.O Box 13326
Austin, Texas 78711-3326
(512) 936-7251
(512) 936-7268 (facsimile)
Tyler.Xu@puc.texas.gov

**SOAH DOCKET NO. 473-25-18477
PUC DOCKET NO. 58017**

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 22, 2025, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Tyler Xu
Tyler Xu

**SOAH DOCKET NO. 473-25-18477
PUC DOCKET NO. 58017**

**COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO
SOUTHWESTERN PUBLIC SERVICE COMPANY
QUESTION NOS. STAFF 3-1 THROUGH 3-9**

DEFINITIONS

- 1) "You," "SPS," and "Southwestern Public Service Company" refers to Southwestern Public Service Company and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees, or other persons.
- 2) "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond your control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do exist, and these documents will be provided.

**SOAH DOCKET NO. 473-25-18477
PUC DOCKET NO. 58017**

**COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO
SOUTHWESTERN PUBLIC SERVICE COMPANY
QUESTION NOS. STAFF 3-1 THROUGH 3-9**

INSTRUCTIONS

- 1) Pursuant to 16 TAC § 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to 16 TAC § 22.144(h)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

**SOAH DOCKET NO. 473-25-18477
PUC DOCKET NO. 58017**

**COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO
SOUTHWESTERN PUBLIC SERVICE COMPANY
QUESTION NOS. STAFF 3-1 THROUGH 3-9**

- Staff 3-1** Does SPS seek recovery of proceeding expenses incurred as a result of its participation in Project No. 57172, *Commission Staff's Petition to Establish a Secondary Cap on Performance Bonuses Under 16 TAC § 25.182(e) for the 2024 Program Year*? If yes, please provide the amount included in this request.
- Staff 3-2** Does SPS seek recovery of any municipal proceeding expenses incurred as a result of participation in Project No. 57172? If yes, please provide the amount included in this request.
- Staff 3-3** Using the parameters of 16 TAC § 25.182(d), please explain in detail, SPS's basis for including Project No. 57172 proceeding expenses in its requested EECRF.
- Staff 3-4** Please refer to Attachment TDA-1, page 6 and the direct testimony of Taylor Amason at pages 10 and 11, which states, "Because the 2022 RCEs and bonus amounts were determined in the 2023 EECRF proceeding to establish the EECRF applicable in 2024, the amounts were recovered through the 2024 EECRF Rider and are reconciled in this proceeding." Please explain the use of 2023 and 2024 interest rates in calculating the over-recovery of \$533,808 at issue in this proceeding.
- Staff 3-5** Please explain how SPS's calculation of interest at issue in Staff 3-4 meets the requirements of 16 TAC § 25.182(d)(2) such that "For each rate class, the under- or over-recovery of the energy efficiency costs shall be the difference between actual EECRF revenues and actual costs for that class that comply with paragraph (12) of this subsection, including interest applied on such over-or under-recovery calculated by rate class and compounded on an annual basis for a two-year period

using the annual interest rates authorized by the commission for over-and under-billing *for the year in which the over-or under-recovery occurred* and the immediately subsequent year.”

Staff 3-6 Please refer to SPS’s current application to adjust its Energy Efficiency Cost Recovery Factor (Application), specifically Grant Gervais’ Direct Testimony on page 35. With regard to Mr. Gervais’ testimony, please provide copies of the work orders for all affiliate expenses included in SPS’s current energy efficiency cost recovery factor (EECRF) application.

In responding to this request, please ensure the inclusion of the following information:

- a) a list of all expenses by Federal Energy Regulatory Commission (FERC) account/sub-account; and
- b) for each work order:
 - i. a detail of the expenses by class of service;
 - ii. the scope of work with a statement of the purpose;
 - iii. the primary activities, products, or deliverables; and
 - iv. the justification for the billing method.

Staff 3-7 Does SPS’s requested EECRF affiliate expenses include amounts for carrying charges on shared assets? If so, please separate the amounts for carrying charges on shared assets as follows:

- a) depreciation amount;
- b) expenses amount;
- c) equity amount; and
- d) interest amount.

Staff 3-8 Please provide the date when the most recent market compensation study was performed by SPS.

Staff 3-9 Does SPS's EECRF request include any amount of financially based incentive compensation for an officer of SPS? If the answer is "yes," please provide the following information:

- a) the amount in the EECRF request related to financially based incentive compensation, by FERC account.
- b) Refer to the response at Staff 3-9(a). Please break out the identified amount as follows:
 - i. by the reconciled year;
 - ii. by current program year; and
 - iii. by estimated program year.