

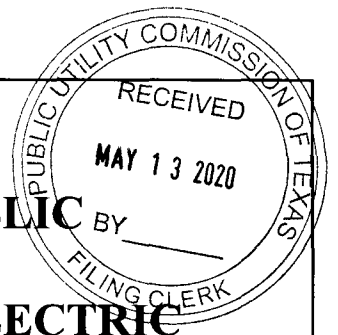


Control Number: 50846



Item Number: 1

Addendum StartPage: 0



**APPLICATION OF SOUTHWESTERN PUBLIC
SERVICE COMPANY AND NORTH PLAINS ELECTRIC
COOPERATIVE INC., FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY FOR AN ELECTRIC
SERVICE AREA EXCEPTION IN ROBERTS COUNTY,
TEXAS**

DOCKET NO. 1 50846

Submit seven (7) copies of the application and all attachments to:

**Public Utility Commission of Texas
Attention: Central Records Filing Clerk
P.O. Box 13326
1701 North Congress Avenue
Austin, Texas 78711-3326**

Application of Southwestern Public Service Company and North Plains Electric Cooperative Inc., for a Certificate of Convenience and Necessity for an Electric Service Area Exception in Roberts County, Texas

This form should be used for an application for approval to serve a consuming facility outside of a utility's existing service area.

1. Applicant's Name: Southwestern Public Service Company

Certificate Number: 30153

Street Address: 790 S. Buchanan
Amarillo, Texas 79101

Mailing Address: 790 S Buchanan
Amarillo, Texas 79101

Person to Contact: Applicant

Southwestern Public Service
Company (SPS)

Name: Mark A. Walker

Position: Assistant General Counsel

Phone Number: (512) 236-6926

Fax Number: (512) 236-6935

Email Address: Mark.A.Walker@xcelenergy.com

Mailing Address: Xcel Energy
816 Congress Ave., Suite 1650
Austin, Texas 78701

Other Affected Utility

North Plains Electric
Cooperative, Inc. (NPEC)

Randy Mahannah

General Manager

(806) 435-5482

Mahannah@npec.org

North Plains Electric Coop
14585 HWY 83
Perryton, Texas 79070

Application of Southwestern Public Service Company and North Plains Electric Cooperative Inc., for a Certificate of Convenience and Necessity for an Electric Service Area Exception in Roberts County, Texas

2. County:

List the county in which the consuming facility is located.

Consuming facility is in Roberts County.

3. Municipality:

List any municipality in which the consuming facility is located.

The consuming facility is not in any municipality.

4. Customer Request:

Provide as **Attachment A**, letter or sworn request for service from the customer.

Please see **Attachment A** – from Lowell Davina Jr., the customer requesting service.

5. Other Affected Utility:

Identify the utility that has the certificate of convenience and necessity for the area in which the customer is located. In order to meet the requirement of § 37.060(h) of the Public Utility Regulatory Act, Texas Utilities Code, Title II ("PURA"), provide as **Attachment B**, using the attached form, a sworn statement from the utility relinquishing its right to serve the consuming facility or parcel of land that the applicant seeks to serve.

North Plains Electric Cooperative (NPEC) has the Certificate of Convenience and Necessity (CCN) for the area in which the customer Lowell Davina Jr.'s property is located. His three homes, shop and water well ("Facilities") are all located in NPEC service territory at GPS 35.643245, -100.620427, Section Block S/E Quarter of Section 59, Block M2 (of the HGNRR survey), in Roberts County, Texas, upon which Mr. Davina is now requesting approximately one mile of single-phase service from Southwestern Public Service (SPS). Please see **Attachment B-Affidavit of Relinquishment** from NPEC relinquishing its rights to SPS to serve these facilities.

6. Maps:

Provide as **Attachment C**, a map depicting the following:

- (a). Location of the consuming facility;
- (b). Applicant's existing service area boundary;
- (c). Applicant's existing utility facilities; and
- (d). Service area boundaries for all other electric service providers within two miles of the consuming facility.

Please refer to **Attachment C – Map**, for required information.

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7. PURA § 37.056(c) Criteria:

Please explain the effects that approval of this Application would have on the following factors:

- (1) the adequacy of existing service;
- (2) the need for additional service;
- (3) the effect of granting the certificate on the recipient of the certificate and any electric utility serving the proximate area; and
- (4) other factors, such as:
 - (A) community values;
 - (B) recreational and park areas;
 - (C) historical and aesthetic values;
 - (D) environmental integrity;
 - (E) the probable improvement of service or lowering of cost to consumers in the area if the certificate is granted; and
 - (F) to the extent applicable, the effect of granting the certificate on the ability of this state to meet the renewable energy goal established by PURA § 39.904(a).

- (1) NPEC's closest facilities that could connect service to this customer are located approximately 3.6 miles north of the proposed location, and the cost to establish service is estimated to be more than \$100,000.
- (2) SPS has a 3-phase distribution line within one mile of the customer's three houses, shop, and well. Service from SPS is prudent in this case because SPS can establish service to the customer for an estimated cost of \$45,000, much lower than NPEC can achieve.
- (3) NPEC relinquishes territory rights to the described three houses, shop and well loads only. SPS's load will increase, but it will be able to do so at a relatively low cost compared to the estimated cost for NPEC to serve the customers facilities.
- (4) Approval of this SAE would not affect community values, recreational and park areas, historical and aesthetic values, or environmental integrity. Approval of this SAE would not impact the ability of this state to meet the renewable energy goal established by PURA § 39.904(a).

8. Cost:

Please provide an estimate of the cost of providing service to the consuming facility and describe any contribution the customer will provide to offset the cost.

The estimated cost to SPS for providing service to Lowell Davina Jr.'s three houses, shop, and well is \$45,000.00, with the customer, Lowell Davina Jr., contributing \$22,000.00 for the requested service.

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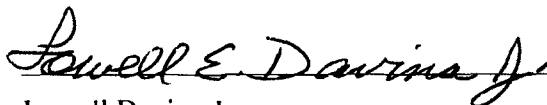
Attachment A – Request for Service Affidavit

Before me, the undersigned authority, on this day personally appeared Lowell Davina Jr., who is personally known to me, and first being duly sworn, deposed as follows:

My name is Lowell Davina Jr. I am over the age of 17 years, of sound mind, capable of making this affidavit, and have personal knowledge of the facts herein stated.

I am requesting retail electric delivery service from Southwestern Public Company (SPS) for service to my three homes, shop and water well at GPS 35.643245, - 100.620427, Section Block S/E Quarter of Section 59, Block M2 (of the HGNRR survey), in Roberts County, Texas. The Project is currently located within North Plains Electric Cooperative (NPEC) electrical service areas.

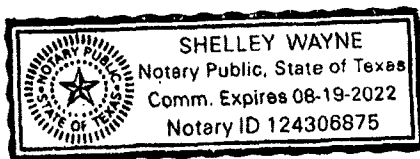
I understand that if my request is approved by the Public Utility Commission of Texas, I will no longer be able to obtain service from NPEC for the three homes, shop, and well at the mentioned location. If this application is approved, the described projects facilities will be provided by SPS. I also understand that NPEC will not relinquish its right to provide electric service in this area of NPEC's service territory going forward, including future electric service that I may need that is in NPEC's service territory without further request. I also understand that NPEC does not authorize SPS to serve any other NPEC customer(s) or load(s) in this area or any other load associated with me that is located within NPEC's service territory.

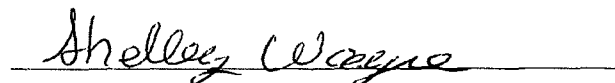


Lowell Davina Jr.,
Property/Landowner

SWORN TO AND SUBSCRIBED before me on this

12 day of March, 2020





Notary Public, State of Texas

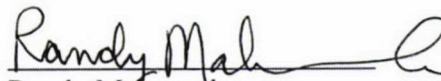
**Application of Southwestern Public Service Company and North Plains Electric
Cooperative Inc., for a Certificate of Convenience and Necessity for an Electric Service
Area Exception in Roberts County, Texas**

Attachment B – Affidavit of Relinquishment

Before me, the undersigned authority, on this day personally appeared Randy Mahannah, who is personally known to me and first, being duly sworn, on oath deposed as follows:

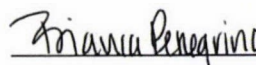
My name is Randy Mahannah. I am over 17 years of age, of sound mind, and capable of making this affidavit. I have personal knowledge of the matters set forth in this application. I am currently employed as General Manager. I have authority to represent on behalf of North Plains Electric Cooperative (NPEC) in the following:

Without waiving NPEC's exclusive right to serve customers in this area, NPEC agrees to relinquish its right to serve the three homes, shop, and well at GPS 35.643245, -100.620427, Section Block S/E Quarter of Section 59, Block M2 (of the HGNRR survey), in Roberts County, Texas, as shown on the following **Attachment C – Map**. I also understand that Lowell Davina Jr. has requested this electric service to be provided by Southwestern Public Company (SPS), as set forth in **Attachment A – Request for Service Affidavit**. NPEC does not relinquish any other of its rights to provide electric service in NPEC's service territory, including other service needs of Lowell Davina Jr.

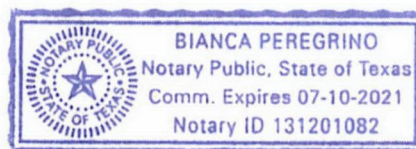


Randy Mahannah
General Manager,
North Plains Electric Cooperative Inc.

SWORN TO AND SUBSCRIBED before
me on this 7 day of May, 2020.

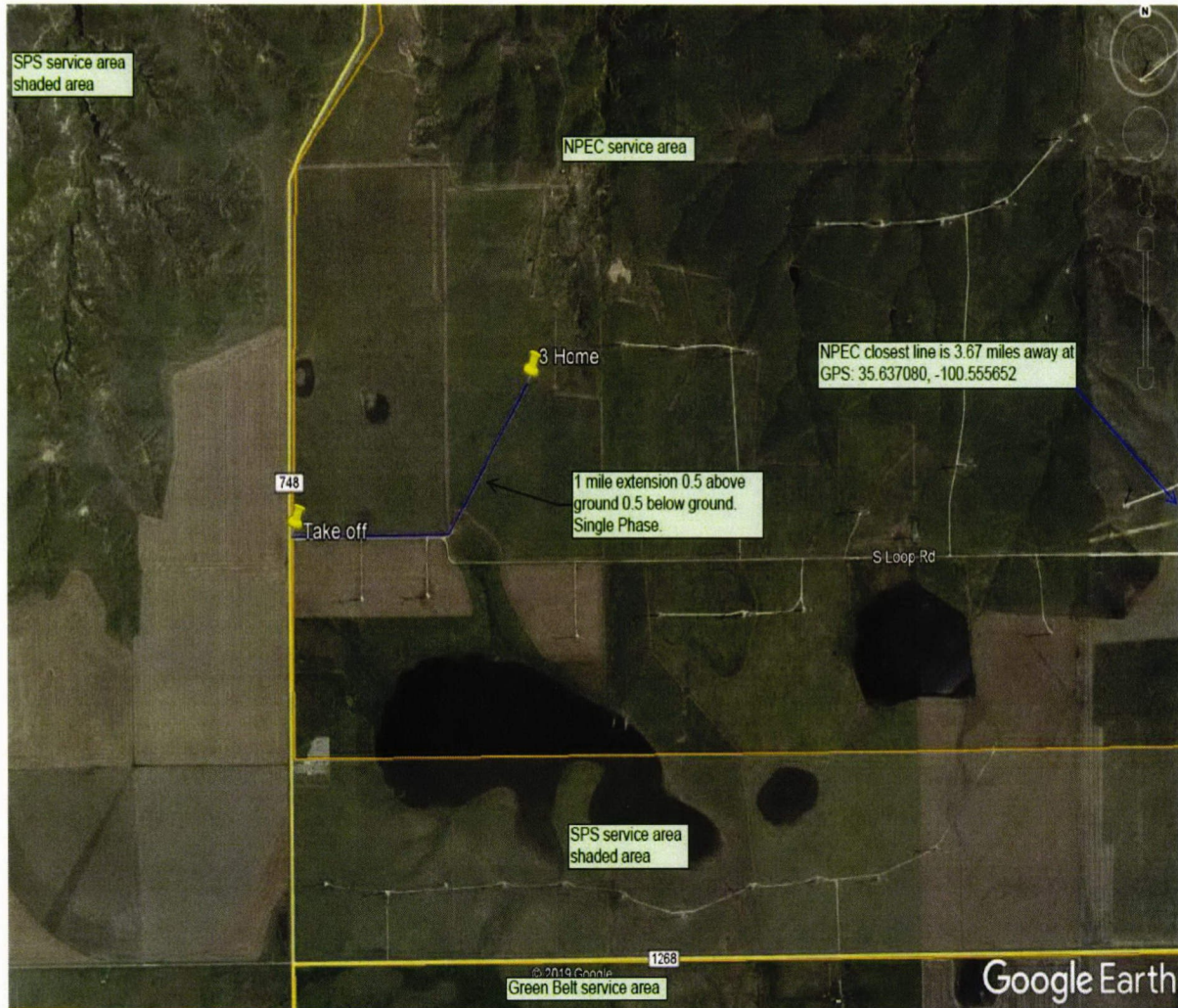


Notary Public, State of Texas



Application of Southwestern Public Service Company and North Plains Electric Cooperative Inc., for a Certificate of Convenience and Necessity for an Electric Service Area Exception in Roberts County, Texas

Attachment C - Map



**Application of Southwestern Public Service Company and North Plains Electric
Cooperative Inc., for a Certificate of Convenience and Necessity for an Electric Service
Area Exception in Roberts County, Texas**

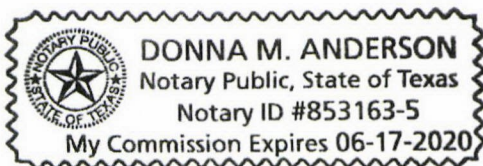
Attachment D – Affidavit Concerning Accuracy of Application

Before me, the undersigned authority, on this day personally appeared David T. Hudson, who is personally known by me, and first being duly sworn, on oath deposed as follows:

My name is David T. Hudson. I am over 17 years of age, of sound mind, and capable of making this affidavit. I have personal knowledge of the matters set forth in this application. I am currently employed as President of Xcel Energy, Texas and New Mexico. I have authority to represent on behalf of Southwestern Public Service Company (SPS) the following:

All information provided, statements made, and matters set forth in the application and any and all attachments thereto are true and correct to the best of my knowledge. If circumstances change or new information is discovered that would make any portion of the application or any attachment thereto incomplete or incorrect, a supplemental filing will be made within five working days of such discovery.

I understand that if this request is approved by the Public Utility Commission of Texas, it will be only for service by SPS for serve the three homes, shop, and well as requested by Lowell Davina Jr. at GPS 35.643245, -100.620427, Section Block S/E Quarter of Section 59, Block M2 (of the HGRRR survey), in Roberts County, Texas, as referenced in **Attachment A-Request for Service and Attachment B-Affidavit of Relinquishment** to this application.



David T. Hudson

David T. Hudson, President
On behalf of Xcel Energy, Texas and New
Mexico (Southwestern Public Service Company)

SWORN TO AND SUBSCRIBED before me
on this 11 day of May, 2020.

Donna M. Anderson

Notary Public, State of Texas