

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF SOUTHWESTERN	)	
PUBLIC SERVICE COMPANY'S	)	
APPLICATION FOR: (1) REVISION OF	)	
ITS RETAIL RATES UNDER ADVICE	)	
NOTICE NO. 292; (2) AUTHORIZATION	)	CASE NO. 20-00238-UT
AND APPROVAL TO ABANDON ITS	)	
PLANT X UNIT 3 GENERATING	)	
STATION; AND (3) OTHER	)	
ASSOCIATED RELIEF,	)	
	)	
SOUTHWESTERN PUBLIC SERVICE	)	
COMPANY,	)	
	)	
APPLICANT.	)	
	)	

DIRECT TESTIMONY

of

BRYAN R. DAVIS

on behalf of

SOUTHWESTERN PUBLIC SERVICE COMPANY

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GLOSSARY OF ACRONYMS AND DEFINED TERMS

<u>Acronym/Defined Term</u>	<u>Meaning</u>
July 2016 Waiver Order	Order Granting Waiver Request, 156 FERC ¶ 61,020
ASC	Accounting Standards Codification
Base Period	October 1, 2019 through September 30, 2020
Commission	New Mexico Public Regulation Commission
FERC	Federal Energy Regulatory Commission
GAAP	Generally Accepted Accounting Principles
Historical Period	Charges assessed under Attachment Z2 of the SPP OATT for the period March 1, 2008 through August 31, 2016
OATT	Open Access Transmission Tariff
<i>Old Dominion</i>	Old Dominion Electric Cooperative v. FERC, 892 F.3d 1223 (D.C. Cir. 2018)
Operating Companies	Northern States Power Company – Minnesota, a Minnesota corporation; Northern States Power Company – Wisconsin, a Wisconsin corporation; Public Service Company of Colorado, a Colorado corporation; and SPS
Revised Waiver Order	Order on Remand, 166 FERC ¶ 61,160
RFP	Rate Filing Package
SPP	Southwest Power Pool, Inc.
SPS	Southwestern Public Service Company, a New Mexico corporation

<u>Acronym/Defined Term</u>	<u>Meaning</u>
USoA	FERC Uniform System of Accounts
Xcel Energy	Xcel Energy Inc.

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Direct Testimony
of
Bryan R. Davis

1 **I. WITNESS IDENTIFICATION AND QUALIFICATIONS**

2 **Q. Please state your name and business address.**

3 A. My name is Bryan R. Davis. My business address is 1800 Larimer Street,
4 Denver, Colorado 80202.

5 **Q. On whose behalf are you testifying in this proceeding?**

6 A. I am filing testimony on behalf of Southwestern Public Service Company, a New
7 Mexico corporation (“SPS”) and wholly owned electric utility subsidiary of Xcel
8 Energy Inc. (“Xcel Energy”).

9 **Q. By whom are you employed and in what position?**

10 A. I am employed by Xcel Energy Services Inc., the service company subsidiary of
11 Xcel Energy. My position is Director, Utility Accounting.

12 **Q. Please briefly outline your responsibilities as Director, Utility Accounting.**

13 A. I am responsible for managing the personnel performing accounting and financial
14 services related to SPS and the other Xcel Energy Operating Companies.¹ My

¹ The Operating Companies are Northern States Power Company, a Minnesota corporation; Northern States Power Company, a Wisconsin corporation; Public Service Company of Colorado, a Colorado corporation; and SPS.

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1 teams support the regulatory, commercial, transmission, and market operations
2 accounting functions.

3 **Q. Please describe your educational background, professional experience, and**
4 **previous work experience.**

5 A. I graduated from Brigham Young University with a Bachelor of Science and
6 Masters in Accountancy in 2006. I began my career as an auditor at
7 PricewaterhouseCoopers. After that I held a position as Senior Manager,
8 Accounting at The Western Union Company. I began working at Xcel Energy in
9 2012 as a Principal Financial Consultant in the Technical Accounting department,
10 where I was primarily responsible for accounting and reporting of long-term
11 power purchase agreements and other commodities contracts. In 2014, I was
12 promoted to Manager, Transmission Accounting where I was responsible for
13 accounting and financial forecasting of wholesale transmission revenues and
14 expenses under rates regulated by the Federal Energy Regulatory Commission
15 (“FERC”) for all Xcel Energy Operating Companies, including Xcel Energy’s
16 activities in the Midcontinent Independent System Operator and Southwest Power
17 Pool, Inc. (“SPP”) regional transmission organizations. In 2016, I was promoted
18 to my current position.

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1 **Q. Do you hold any professional licenses or certifications?**

2 A. Yes, I am a licensed Certified Public Accountant in Colorado and Arizona.

3 **Q. Have you submitted pre-filed testimony in any prior cases?**

4 A. Yes. I submitted pre-filed testimony in Case Nos. 17-00255-UT,² 19-00170-UT,³
5 and 19-00315-UT⁴ before the New Mexico Public Regulation Commission
6 (“Commission”). I also submitted pre-filed testimony in Docket Nos. 47527,⁵
7 48973,⁶ and 49831⁷ before the Public Utility Commission of Texas.

² *In the Matter of Southwestern Public Service Company’s Application for Revision of its Retail Electric Rates Pursuant to Advice Notice No. 272, Case No. 17-00255-UT, New Final Order on Partial Mandate from the New Mexico Supreme Court (Mar. 6, 2019).*

³ *In the Matter of Southwestern Public Service Company’s Application for: (1) Revision of its Retail Electric Rate Under Advice Notice No. 282; (2) Authorization and Approval to Shorten the Service Life and Abandon its Tolk Generating Station Units; and (3) Other Related Relief, Case No. 19-00170-UT, Final Order Adopting Certification of Stipulation (May 20, 2020).*

⁴ *In the Matter of Southwestern Public Service Company’s Application for: (1) Continued Use of its Purchased Power Cost Adjustment Clause (“FPPCAC”) Using a Monthly Adjustment Factor Under NMPRC Rule 550; (2) The Report of Expenses Recognized and Revenues Collected or Refunded Under the FPPCAC for the Period September 2015 Through June 2019; (3) The Reconciliation of Fuel Costs for the Period September 2015 Through June 2019; and (4) SPS’s Proposed Annual Deferred Fuel Balance True-Up, Case No. 19-00315-UT (pending).*

⁵ *Application of Southwestern Public Service Company for Authority to Change Rates, Docket No. 47527, Final Order (Dec. 10, 2018).*

⁶ *Application of Southwestern Public Service Company for Authority to Reconcile Fuel and Purchased Power Costs for the Period January 1, 2016 through June 30, 2018, Docket No. 48973, Order on Rehearing (Feb. 18, 2020).*

⁷ *Application of Southwestern Public Service Company for Authority to Change Rates, Docket No. 49831, Final Order (Aug. 27, 2020).*

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1 **II. ASSIGNMENT AND SUMMARY OF TESTIMONY AND**
2 **RECOMMENDATIONS**

3 **Q. What is the purpose of your direct testimony in this proceeding?**

4 A. The purpose of my direct testimony is to support SPS's application for a base rate
5 change filed with the Commission. Specifically, my testimony describes the
6 accounting methods used to record revenues, expenses, assets, and liabilities on
7 SPS's books for the Base Period (October 1, 2019 through September 30, 2020).
8 Additionally, I sponsor or co-sponsor as the accounting witness the following
9 Schedules in SPS's Rate Filing Package ("RFP"):

Schedule E	2, 3
Schedule H	1, 4, 5, 6, 8, 15
Schedule P	4
Schedule Q	2, 3, 4, 5, 6

10 I also describe the accounting used to record amounts charged to SPS under
11 Attachment Z2 of the SPP Open Access Transmission Tariff ("OATT"). I
12 support SPS's request to defer, as a regulatory asset or liability, any differences
13 between the amount assigned to New Mexico in Case Nos. 17-00255-UT and
14 19-00170-UT, and the New Mexico retail share of the final amount billed by SPP,

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1 excluding interest. Finally, I discuss SPS's compliance with the Commission's
2 order in Case No. 20-00069-UT.⁸

3 **Q. How does your direct testimony relate to the testimony of other SPS**
4 **witnesses?**

5 A. I support the manner in which SPS maintains its books and records, which, in
6 turn, supports the accounting schedules and workpapers underlying the
7 calculations for SPS's total cost of service. Other witnesses provide additional
8 testimony supporting the reasonableness of various expenses and rate base items
9 in the cost of service schedules.

10 **Q. Please summarize your testimony and conclusions.**

11 A. SPS has properly accounted for its revenues and operating expenses using
12 Generally Accepted Accounting Principles ("GAAP") and recorded such revenues
13 and expenses in accounts as prescribed by the FERC Uniform System of
14 Accounts ("USoA"). Regulatory liabilities and assets have been accounted for
15 and amortized in accordance with Financial Accounting Standards Board

⁸ *Adoption of an Immediate Emergency Rule Prohibiting the Discontinuation of Residential Customer Public Utility Service During the Time Period of the Governor's Executive Orders 2020-004 through -0010*, Case No. 20-00069-UT, Order Authorizing Creation of a Regulatory Asset by Public Utilities for Costs Associated with Emergency Conditions (Jun. 24, 2020).

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1 Accounting Standards Codification (“ASC”) 980, Regulated Operations,
2 (formerly Statement of Financial Accounting Standards No. 71).

3 As of November 2020, the most recent quarterly payment, SPS has paid a
4 total of \$12.1 million (total company, comprised of \$10.7 million of principal and
5 \$1.4 million of interest) to SPP for the net charges assessed under Attachment Z2
6 of the SPP OATT for the period from March 1, 2008 through August 31, 2016
7 (the “Historical Period”). Under an optional payment plan approved by the
8 FERC, SPS elected to pay the back-billed Attachment Z2 charges over a five-year
9 period, and SPS proposes to continue to recover one-fifth of the \$2,602,450
10 amount assigned to the New Mexico retail jurisdiction and approved in Case Nos.
11 17-00255-UT⁹ and 19-00170-UT.¹⁰ SPS further proposes to defer, as a regulatory
12 asset or liability, any differences between \$2,602,450 and the New Mexico retail
13 share of the final amount billed by SPP, excluding interest.

⁹ See Case No. 17-00255-UT, Recommended Decision at Section I, pages 174-180; *aff’d* Final Order Adopting Recommended Decision with Modifications (Sept. 5, 2018).

¹⁰ See Case No. 19-00170-UT, Certification of Stipulation at Section III, pages 50-51; *aff’d* Final Order Adopting Certification of Stipulation (May 20, 2020).

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1 **Q. Were the RFP Schedules that you sponsor or co-sponsor prepared by you or**
2 **under your direct supervision and control?**

3 A. Yes. I incorporate those portions of the RFP Schedules that I sponsor or
4 co-sponsor as part of my direct testimony.

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1 **Q. How did SPS determine the expenses used in the cost of service and RFP**
2 **Schedules?**

3 A. SPS started with the amounts recorded to its General Ledger for the Base Period.
4 As required by GAAP, SPS employs the accrual method of accounting, under
5 which SPS records an estimated amount for expenses incurred during the month.
6 This may include amounts for which an invoice has not yet been received. After
7 SPS receives the invoice or obtains more (or better) information related to an
8 estimate, or there is a change in a regulatory or accounting principle, the expense
9 is trued-up. In the case of an expense related to an invoice, the books are trued-up
10 to the actual invoiced amount. This true-up typically occurs the following month.
11 Thus, in a given month, expenses may include the accrual for the current month,
12 the true-up of the prior month's accrual to actual invoiced amounts, and
13 adjustments as they become known.

14 **Q. Are there any other reasons the expense amounts shown on those schedules**
15 **may be trued-up?**

16 A. Yes. In general, true-up adjustments are also made necessary by such things as
17 resolved billing disputes, corrections of errors, changes in the method used to
18 develop estimates, the acquisition of more or better information about the cost
19 estimate, changes in regulatory principles, and changes in accounting principles.

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1 **Q. How does SPS account for regulatory assets and liabilities?**

2 A. SPS accounts for certain income and expense items in accordance with ASC 980,
3 Regulated Operations. Under ASC 980, certain costs that would otherwise be
4 charged to expense are deferred as regulatory assets based upon the ability of the
5 utility to recover those costs in future rates. In addition, certain credits that would
6 otherwise be reflected as income are deferred as regulatory liabilities based upon
7 the expectation that they will be refunded to customers in future rates.
8 Consequently, estimates for recovering deferred costs and refunding deferred
9 credits are based upon specific ratemaking decisions or precedents for each
10 particular item. These regulatory assets and liabilities are amortized consistent
11 with the period approved by the Commission.

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1 **IV. ACCOUNTING FOR ATTACHMENT Z2 CHARGES**

2 **Q. Please describe SPP's OATT Attachment Z2.**

3 A. Attachment Z2 of the SPP OATT provides that transmission customers, generator
4 interconnection customers, and entities that pay for a Sponsored Upgrade may
5 receive revenue credits for network upgrades whose costs have been directly
6 assigned to them (Creditable Upgrades). The revenue credits provided to a
7 customer that has been directly assigned network upgrade costs are funded by and
8 recoverable from transmission customers taking new transmission service that
9 could not have been provided "but for" the Creditable Upgrade, in the form of
10 credit payment obligations. SPP collects credit payment obligations and disburses
11 revenue credits until the amount owed to the transmission customer or generator
12 interconnection customer that was directly assigned the costs of the Creditable
13 Upgrade is zero.

14 **Q. Are you aware of any outstanding billing issues regarding SPP's**
15 **administration of Attachment Z2?**

16 A. Yes. SPP's implementation of Attachment Z2 was delayed until 2016 due to a
17 variety of circumstances. To address this issue, SPP filed with FERC a petition
18 requesting a waiver to allow SPP to implement the Attachment Z2 revenue

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1 crediting process for the Historical Period and to enable SPP to invoice
2 transmission service customers for credit payment obligations outside of the one-
3 year billing adjustment limitation in the SPP OATT.¹¹ Despite protests from
4 several parties, including SPS, FERC granted the requested waiver in July 2016
5 (“July 2016 Waiver Order”).¹² In November 2016, SPP invoiced SPS total net
6 charges of \$12.8 million (total company) for the Historical Period. In Case Nos.
7 17-00255-UT and 19-00170-UT, the Commission assigned approximately \$2.6
8 million of this amount to the New Mexico retail jurisdiction.¹³

9 **Q. Has SPS paid the Attachment Z2 charges assessed by SPP for the Historical**
10 **Period?**

11 A. Under a payment plan approved by FERC in September 2016,¹⁴ amounts due to
12 SPP for Historical Period Attachment Z2 charges are to be remitted in quarterly
13 installments over a five-year period that began in November 2016. As of

¹¹ *Petition of Southwest Power Pool, Inc. for Tariff Waiver*, FERC Docket No. ER16-1341 (filed Apr. 1, 2016).

¹² *Sw. Power Pool, Inc.*, 156 FERC ¶ 61,020 (2016), *reh’g denied*, 161 FERC ¶ 61,144 (2017) (Rehearing Order), *appeal docketed*, *Xcel v. FERC*, No. 18-1005 (D.C. Cir. Jan. 5, 2018).

¹³ SPS will also incur Attachment Z2 charges going forward, but those amounts are included within the normal wheeling expenses. The amounts I am discussing in this section of my testimony are only the Attachment Z2 charges attributable to the Historical Period.

¹⁴ 156 FERC ¶ 61,245 (2016).

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1 November 2020, which is SPS's most recent payment to SPP, SPS has paid a total
2 of \$12.1 million (total company, comprised of \$10.7 million of principal and \$1.4
3 million of interest).

4 **Q. Did the July 2016 Waiver Order resolve the billing issues associated with the**
5 **Attachment Z2 process for the Historical Period?**

6 A. No. As I discussed in my direct testimony in Case No. 19-00170-UT, there are a
7 number of outstanding issues associated with the Attachment Z2 process for the
8 Historical Period. After FERC denied requests for rehearing of the July 2016
9 Waiver Order, SPS filed an appeal with the D.C. Circuit.¹⁵ During the pendency
10 of the appeal, the D.C. Circuit issued a decision in *Old Dominion* holding that
11 retroactive charges would violate the filed rate doctrine.¹⁶ In response, FERC
12 sought voluntary remand of the July 2016 Waiver Order in order to re-evaluate its
13 decision in that case.¹⁷

14 In February 2019, following consideration of additional briefs filed by all
15 parties regarding the impact of *Old Dominion*, FERC issued a new order

¹⁵ *Xcel v. FERC*, No. 18-1005 (D.C. Cir. Jan. 5, 2018).

¹⁶ *Old Dominion Electric Cooperative v. FERC*, 892 F.3d 1223 (D.C. Cir. 2018) (hereinafter "*Old Dominion*").

¹⁷ *Xcel Energy Serv. Inc. v. FERC*, Unopposed Motion of Respondent Federal Energy Regulatory Commission for Voluntary Remand, No. 18-1005 (filed Jul. 19, 2018).

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1 (“Revised Waiver Order”)¹⁸ reversing its approval of SPP’s waiver request and
2 directing SPP to provide refunds, with interest, of amounts billed for the
3 Historical Period (except Sept. 2015 – Aug. 2016, which were permissible
4 without the waiver);¹⁹ however, prior to issuing refunds, FERC further ordered
5 SPP to file a report within 120 days detailing how it proposes to make the
6 required refunds.²⁰ On April 1, 2019, SPP and two other parties filed requests for
7 rehearing of the Revised Waiver Order, which FERC denied on February 20,
8 2020.²¹ SPP and the two other parties subsequently appealed FERC’s decisions to
9 the D.C. Circuit.²² Also, on May 9, 2019, a group of four Upgrade Sponsors filed
10 a complaint alleging SPP’s delayed implementation of Attachment Z2 violated its
11 tariff and sought to retain all credits and interest paid to date and to continue to
12 receive amounts they claim to be owed under the SPP OATT.²³

¹⁸ *Sw. Power Pool, Inc.*, 166 FERC ¶ 61,160 (2019).

¹⁹ *See* 166 FERC ¶ 61,160 (2019).

²⁰ *Id.*

²¹ *Sw. Power Pool, Inc.*, 170 FERC ¶ 61,125 (2020).

²² *Sw. Power Pool, Inc. v. FERC*, No. 20-1101 (D.C. Cir. Mar. 31, 2020).

²³ *EDF Renewables, Inc., et al. v. Sw. Power Pool*, Complaint to Enforce Attachment Z2 of the SPP Tariff, FERC Docket No. EL19-75-000 (filed May 9, 2019).

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1 **Q. How has SPS accounted for the Attachment Z2 charges assessed by SPP for**
2 **the Historical Period?**

3 A. ASC 450-20-25-2 requires that a contingent liability be recognized when it is
4 probable and estimable. Although SPS continues to dispute certain aspects of
5 SPP's implementation of crediting under Attachment Z2, based on FERC's July
6 2016 Waiver Order and SPP's calculated charges for the Historical Period, SPS
7 accrued a liability of \$12.8 million for amounts invoiced by SPP. This liability
8 has subsequently been offset by the principal amount of payments under the
9 five-year Attachment Z2 payment plan. Due to the uncertainty inherent in the
10 ongoing billing disputes for the Historical Period, SPS has not recorded any
11 reductions to that liability for potential refunds under FERC's Revised Waiver
12 Order.

13 **Q. Did SPS record a regulatory asset related to Attachment Z2 charges for the**
14 **Historical Period?**

15 A. Yes. ASC 980-340-25-1 sets forth guidance that an entity should defer all or part
16 of an incurred cost²⁴ that would otherwise be charged to expense if it is probable

²⁴ ASC 980-10-20 defines an Incurred Cost as "A cost arising from cash paid out or [an] obligation to pay for an acquired asset or service, a loss from any cause that has been sustained and must be paid for". Therefore, amounts for SPS's Historical Period Attachment Z2 charges meet the definition of an incurred cost, even if not yet paid in cash.

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1 that the specific cost is subject to recovery in future revenues. Originally based
2 on an assessment of the likelihood of recovery through future rates, SPS deferred
3 the Historical Period Attachment Z2 charges assigned to the New Mexico retail
4 jurisdiction in Account 186, Miscellaneous Deferred Debits. Upon issuance of
5 the Commission's order in Case No. 17-00255-UT, SPS reclassified such deferred
6 debits to Account 182.3, Other Regulatory Assets. Similar accounting was also
7 recorded for amounts assigned to SPS's Texas retail and wholesale jurisdictions.

8 **Q. Has the Commission previously reviewed how SPS should recover the**
9 **amount paid to SPP for the Attachment Z2 Historical Period?**

10 A. Yes. In Case Nos. 17-00255-UT and 19-00170-UT, SPS sought to recover
11 \$520,490 in its cost of service for the Historical Period charges, which is one-fifth
12 of the \$2,602,450 assigned to the New Mexico retail jurisdiction, commensurate
13 with the five-year time period of the FERC approved payment plan. The
14 Commission approved recovery of this amount in both cases.

15 **Q. What impact is the February 2019 Revised Waiver Order expected to have**
16 **on SPS's liability for Attachment Z2 charges assessed by SPP for the**
17 **Historical Period?**

18 A. The impact of the Revised Waiver Order is unknown at this time. Although the
19 order reverses FERC's previous decision granting SPP's waiver request, it does

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1 not order SPP to actually issue refunds. Instead, the FERC ordered SPP to file a
2 report proposing how SPP *would propose* to calculate and process the refunds.
3 SPP has since requested rehearing of that order and raised a number of questions
4 about how such a methodology would work, or even whether it's possible.
5 Finally, although FERC upheld its Revised Waiver Order, that order is on appeal
6 at the DC Circuit.

7 Although the ultimate result of charges for the Historical Period may not
8 be known for some time, assuming the Revised Waiver Order is upheld, SPS's
9 obligation for the Historical Period would be expected to shrink, as charges for
10 periods prior to September 2015 would be eliminated. This could reduce SPS's
11 total amount due from \$12.8 million to approximately \$3.5 million - \$4.0 million
12 (total company), or a reduction of approximately \$9 million (total company).
13 However, these amounts are quite uncertain, as charges for any given creditable
14 upgrade are based, in part, on whether amounts related to that upgrade have been
15 previously recovered. Therefore, while charges prior to September 2015 could be
16 eliminated, charges subsequent to that date could increase.

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1 **Q. Would it be appropriate to take this potential impact into account in this**
2 **case?**

3 A. No. The only thing certain at this time is that SPP continues to require SPS to
4 remit payments under the FERC-approved payment plan based on the full \$12.8
5 million of initially invoiced charges. SPP billed the most recent installment under
6 the payment plan in November 2020. Therefore, it is too early to determine the
7 impact of FERC's order and impossible to take its impact into account in this
8 case.

9 **Q. Does SPS propose to continue to recover amounts paid to SPP for the**
10 **Attachment Z2 Historical Period?**

11 A. Yes. SPS proposes to continue to recover amounts billed for the Attachment Z2
12 Historical Period as approved in Case Nos. 17-00255-UT and 19-00170-UT.
13 However, as significant uncertainty remains regarding the final amounts SPS may
14 ultimately be required to pay, SPS proposes to defer, as a regulatory asset or
15 liability, any differences between \$2,602,450 (the amount assigned to New
16 Mexico retail and approved in Case Nos. 17-00255-UT and 19-00170-UT) and
17 the New Mexico retail share of the final amount billed by SPP, excluding interest.

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1 **V. COMPLIANCE WITH THE COMMISSION'S COVID**
2 **ACCOUNTING ORDER**

3 **Q. What is the purpose of this section of your testimony?**

4 A. The purpose of this section of my testimony is to address SPS's compliance with
5 the Commission's *Order Authorizing Creation of a Regulatory Asset by Public*
6 *Utilities for Costs Association with Emergency Conditions*.²⁵

7 **Q. Has SPS complied with that Order?**

8 A. Yes. In accordance with that Order, SPS has been tracking and filing monthly
9 reports with the Commission detailing the monthly and total delinquencies from
10 the November 2019 billing period, the number of residential customers that would
11 be subject to termination under the utility's normal procedures, the average value
12 of arrearage for individual delinquent accounts, and the total value of arrearages
13 for all delinquent accounts.

14 **Q. Has SPS recorded a regulatory asset for the accounting deferral of**
15 **COVID-19 related uncollectible expenses and other expenses pursuant to the**
16 **authority granted by the Commission in that order?**

17 A. No. At this time, SPS has not elected to record a regulatory asset for these
18 expenses as authorized by the Commission's order. SPS will continue to evaluate

²⁵ Case No. 20-00069-UT, Order Authorizing Creation of a Regulatory Asset by Public Utilities for Costs Associated with Emergency Conditions (Jun. 24, 2020).

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1 these issues and will notify the Commission of any significant change in non-sales
2 impacts from any continued effects of COVID-19.

3 **Q. Does this conclude your pre-filed direct testimony?**

4 A. Yes.

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SOUTHWESTERN PUBLIC SERVICE	)	
COMPANY,	)	
	)	
APPLICANT.	)	
	)	

VERIFICATION

On this day, December 22, 2020, I, Bryan R. Davis, swear and affirm under penalty of perjury under the law of the State of New Mexico, that my testimony contained in Direct Testimony of Bryan R. Davis is true and correct.

/s/ Bryan R. Davis
BRYAN R. DAVIS