



Department of Energy

Washington, DC 20585

February 3, 2011

Matthew P. Loftus
Assistant General Counsel
Xcel Energy
414 Nicollet Mall, 5th Floor
Minneapolis, Minnesota 55401

RE: Southwestern Public Service Company; Export Authorization No. EA-127-A

Dear Mr. Loftus:

This letter transmits the Order rescinding electricity Export Authorization No. EA-127, authorizing Southwestern Public Service Company to export electric energy to Mexico.

Should you have any questions regarding this Order, please do not hesitate to call me at (202) 586-5260, or by e-mail at christopher.lawrence@hq.doe.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Lawrence", with a long horizontal flourish extending to the right.

Christopher A. Lawrence
Electricity Industry Specialist
Permitting, Siting and Analysis Division
Office of Electricity Delivery and
Energy Reliability

Attachment



United States
Department of Energy

Office of Electricity Delivery and Energy Reliability

Southwestern Public Service Company

OE Docket No. EA-127-A



Rescission of Export Authorization

Order No. EA-127-A

January 26, 2011

Southwestern Public Service Company

Order No. EA-127-A

I. BACKGROUND

Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e))¹.

DOE issued Order No. EA-127 to Southwestern Public Service Company (SPS) on April 4, 1997. That Order authorized SPS to export electric energy as a regulated utility to Mexico, without an expiration date.

On December 23, 2010, DOE received a notice from SPS that it wishes to rescind its existing authorization to export electricity to Mexico. SPS asserts that it has not exported electric energy for quite some time and no longer needs the authorization.

II. COMPLIANCE

Upon issuance of this Rescission Order, SPS shall no longer have authority to export electricity to Mexico. However, this Rescission Order is being issued without prejudice and does not preclude SPS, upon proper application, from requesting authority to export electric energy again in the future. It should be noted that DOE requires at least sixty days to adequately process an application to export electric energy.

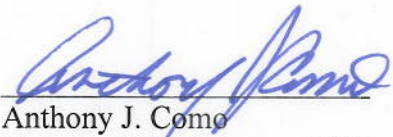
Obtaining a valid Order from DOE authorizing the export of electricity under section 202(e) of the FPA is a necessary condition before engaging in an export. Therefore, SPS must obtain a new authorization from DOE before engaging in the further export of electricity. Failure to obtain such an order before exporting may subject SPS to sanctions and penalties under the FPA. SPS should implement appropriate internal procedures to monitor the status of its electricity trading activities to ensure that it does not cause electricity to be exported in the absence of a valid order.

III. ORDER

Based on the above and pursuant to section 202(e) of the FPA and the Rules and Regulations issued thereunder (Title 10, Code of Federal Regulations, sections 205.300-309), the electricity export authorization issued to SPS on April 4, 1997, in Order No. EA-127, is hereby rescinded.

¹ The authority to administer the International Electricity Regulatory Program through the regulation of electricity exports and the issuance of Presidential permits has been delegated to the Assistant Secretary for the Office of Electricity Delivery and Energy Reliability in Redelegation Order No. 00-002.10C issued on May 29, 2008.

Issued in Washington, D.C., on January 26, 2011.



Anthony J. Como
Director, Permitting and Siting
Office of Electricity Delivery
And Energy Reliability