

DOCKET NO. \_\_\_\_\_

APPLICATION OF SOUTHWESTERN § PUBLIC UTILITY COMMISSION  
PUBLIC SERVICE COMPANY FOR §  
AUTHORITY TO CHANGE RATES § OF TEXAS

**DIRECT TESTIMONY  
of  
H. CRAIG ROMER**

*on behalf of*

**SOUTHWESTERN PUBLIC SERVICE COMPANY**

*(Filename: RomerRRDirect.doc)*

**Table of Contents**

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GLOSSARY OF ACRONYMS AND DEFINED TERMS.....	2
LIST OF ATTACHMENTS .....	3
I. WITNESS IDENTIFICATION AND QUALIFICATIONS .....	4
II. ASSIGNMENT AND SUMMARY OF TESTIMONY AND RECOMMENDATIONS.....	7
III. RFP SCHEDULES SPONSORED .....	10
IV. COAL-RELATED COSTS INCLUDED IN SPS’S BASE RATES.....	13
V. REASONABLENESS OF COAL COSTS INCLUDED IN BASE RATES .....	17
VI. NO COAL OR COAL-RELATED AFFILIATE TRANSACTIONS .....	21
AFFIDAVIT .....	22

## **GLOSSARY OF ACRONYMS AND DEFINED TERMS**

<b><u>Acronym/Defined Term</u></b>	<b><u>Meaning</u></b>
Commission	Public Utility Commission of Texas
FSO	Fuel Supply Operations
Harrington	Harrington Generating Station
Operating Companies	Northern States Power Company, a Minnesota corporation; Northern States Power Company, a Wisconsin corporation; Public Service Company of Colorado, a Colorado corporation; and SPS
RFP	Rate Filing Package
Savage	Savage Industries
SPS	Southwestern Public Service Company, a New Mexico corporation
Tolk	Tolk Generating Station
TUCO	TUCO Inc.
Update Period	October 1, 2020 through December 31, 2020
Updated Test Year	January 1, 2020 through December 31, 2020
Xcel Energy	Xcel Energy Inc.
XES	Xcel Energy Services Inc.

## LIST OF ATTACHMENTS

<u>Attachment</u>	<u>Description</u>
HCR-RR-1(CONF)	2019 TUCO Audit ( <i>Non-native format</i> )

**DIRECT TESTIMONY  
OF  
H. CRAIG ROMER**

**I. WITNESS IDENTIFICATION AND QUALIFICATIONS**

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

A. My name is H. Craig Romer. My business address is 1800 Larimer Street, Suite 1000, Denver, Colorado 80202.

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

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

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

A. I am employed by Xcel Energy Services Inc. (“XES”), the service company subsidiary of Xcel Energy, as Director, Fuel Supply Operations (“FSO”).

**Q. Please briefly outline your responsibilities as Director, FSO.**

A. I am responsible for supervising, planning, coordinating, and directing the activities of the FSO department personnel. As Director, FSO, I am responsible for: (1) procuring the coal and solid fuel needs, including supply and transportation, for the Xcel Energy Operating Companies’ coal-fueled generating units;<sup>1</sup> (2) administering SPS’s coal and coal-related contracts; and (3) coordinating the FSO department’s activities with the trading, purchased power, gas supply, and energy supply departments of Xcel Energy.

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<sup>1</sup> The Xcel Energy Operating Companies are Northern States Power Company – Minnesota; Northern States Power Company – Wisconsin; Public Service Company of Colorado (“PSCo”); and SPS.

1   **Q.     Please describe your educational background.**

2   A.     I graduated from the Colorado School of Mines in Golden, Colorado, in 2001 with  
3           a Bachelor of Science Degree in Mechanical Engineering.

4   **Q.     Please describe your professional experience.**

5   A.     I was hired as Director, FSO for XES in January 2011. Prior to that time, I held  
6           the position of Manager, Transportation Portfolio, with XES from June of 2007 to  
7           December of 2010. In this role, I was responsible for delivering fuel and  
8           maintaining solid fuel inventories for all of the Operating Companies. These  
9           assignments included, but were not limited to, negotiating transportation and rail  
10          car agreements, communicating with logistic providers and power plant  
11          personnel, and managing various daily coal yard operations activities.

12                 Before working for XES, I worked for the Union Pacific Railroad and the  
13                 Southern Pacific Railroad before its merger with the Union Pacific Railroad,  
14                 holding various positions from December 1994 to June 2007 as noted below:

- 15                 • Senior Manager Terminal Operations Denver;
- 16                 • Manager Mechanical Maintenance II;
- 17                 • Director Transportation Services Denver Service Unit;
- 18                 • Manager Terminal Operations – DSLE certified; and
- 19                 • Manager Train Operations – Moffat Tunnel, Colorado Springs, and  
20                 Limon Subdivisions.

21                 These assignments included daily management of railroad operations, track and  
22                 rail car maintenance, customer service, hiring and training of trainmen, engineers,  
23                 and yardmen, and budgetary and financial planning in the region. Prior to these  
24                 assignments, I was employed as a brakeman and moved through union ranks of

1 conductor, foreman, and yardmaster before being promoted to managerial  
2 assignments.

3 **Q. Have you attended or taken any special courses or seminars relating to**  
4 **public utilities?**

5 A. Yes. Over my career, I have taken numerous courses and seminars related  
6 specifically to the public utility industry and related issues, including:

- 7 • Escalation Consultants, Controlling Rail Expenses;
- 8 • Carlson School of Management at the University of Minnesota,
- 9 Negotiation Strategies for Executives;
- 10 • Financial Accounting Institute, Utility Finance and Accounting;
- 11 • American Management Association, Negotiating to Win; and
- 12 • Various National Coal Transportation Association, American Coal
- 13 Council, and Platts coal conferences.

14 **Q. Have you testified or filed testimony before any regulatory authorities?**

15 A. Yes. I submitted prefiled written testimony on SPS's behalf with the Public  
16 Utility Commission of Texas ("Commission") in Docket Nos. 40824, 42004,  
17 43695, 45524, 46025, 47527, 48973, and 49831. In all of those cases, which were  
18 SPS base rate cases or fuel reconciliation cases (or both), I addressed coal and  
19 coal-related costs. I have also testified and submitted prefiled written testimony  
20 before the New Mexico Public Regulation Commission in numerous cases  
21 regarding coal and coal-related costs recovered through base fuel, as well as the  
22 non-mine and non-freight coal costs recovered in base rates. Finally, I testified in  
23 support of PSCo's generation resource plan in Colorado Public Utilities  
24 Commission Proceeding No. 11A-869E.

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

3   **Q.     What is your assignment in this proceeding?**

4   A.     I discuss the reasonableness of certain coal-related costs that SPS incurred for the  
5           period from January 1, 2020 through December 31, 2020 (“Updated Test Year”).  
6           Those coal-related costs are not recovered through SPS’s eligible fuel costs, but  
7           instead are included in SPS’s base rates.

8           I also provide an overview of SPS’s coal procurements under two Coal  
9           Supply Agreements with TUCO Inc. (“TUCO”). As part of that discussion, I  
10          explain that TUCO and its coal-handling contractor, Savage Industries  
11          (“Savage”), have entered into Coal Handling Service Agreements for Savage to  
12          perform certain coal-handling activities at SPS’s coal-burning generating stations,  
13          which are Harrington Generating Station (“Harrington”) and Tolk Generating  
14          Station (“Tolk”). The coal-related amounts that SPS seeks to recover in base rates  
15          are largely the costs that Savage bills to TUCO under the Coal Handling Service  
16          Agreements. TUCO passes those costs through to SPS under the terms of the  
17          Coal Supply Agreements between SPS and TUCO.

18          Further, I sponsor or co-sponsor the following schedules of SPS’s Rate  
19          Filing Package (“RFP”), which I discuss in more detail in the next section of my  
20          testimony:

21   **Table HCR-RR-1**

E Schedules	2.1, 2.2, 2.3, 2.4, 2.5, and 3.3
I Schedules	1.1, 1.2, 1.3, 1.4, 2, 3, 4, 9, 10, 13, 14, 15, 17.1, 17.2, 17.3, 18, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 20, and 21

1 Finally, I sponsor or co-sponsor the portions of the Executive Summary that  
2 contain information from these schedules.

3 **Q. Please summarize your testimony and recommendations.**

4 A. I recommend that the Commission allow SPS to recover \$32,861,624 of coal-  
5 related costs in base rates, which is the Updated Test Year amount of coal-related  
6 expense. That Updated Test Year amount is based on actual costs for the first  
7 nine months of 2020 and estimates for the three-month period from October 1,  
8 2020 through December 31, 2020, which is the Update Period. The coal-related  
9 costs included in base rates were incurred for:

- 10 • the furnishing of railcars;
- 11 • the handling, storing, crushing, processing, and weighing of coal, as well  
12 as the delivery of that coal to SPS's bunkers;
- 13 • the assessments and taxes (except federal and state income taxes)  
14 associated with the coal;
- 15 • the cost of financing coal inventories; and
- 16 • the cost of the contractual margin payment.<sup>2</sup>

17 I recommend the Commission find that SPS's Updated Test Year coal-related  
18 costs were prudently incurred and were reasonable and necessary for SPS to have  
19 usable coal to burn at Tolk and Harrington.

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<sup>2</sup> Additionally, the coal-handling costs include several projects that were undertaken at the Tolk and Harrington Stations to improve safety and efficiency. I discuss those projects later in my testimony.



1   **Q.     Will you update your testimony to replace the estimates in the Update Period**  
2       **with actual amounts?**

3   A.    Yes. As discussed by SPS witness William A. Grant, SPS will file an update 45  
4       days after the filing of its initial application. The 45-day update will replace the  
5       estimates provided in the application for the Update Period with actual costs.

6   **Q.     Was Attachment HCR-RR-1(CONF) prepared by you or under your direct**  
7       **supervision and control?**

8   A.    Yes. Attachment HCR-RR-1(CONF), which is an Audit Report provided by  
9       XES's Audit Service group, was compiled under my direct supervision and  
10      control. The attachment is a true and correct copy of that report.

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A. The E schedules address various aspects of fossil fuel policy, inventory levels and valuation, and coal supply interruptions. I sponsor the portion of these schedules that address coal issues. Other SPS witnesses sponsor the discussions of natural gas and fuel oil.

Schedules I-2, I-3, and I-4 are non-financial schedules addressing procurement practices, fuel and purchased power committees, and fuel purchase contracts. I sponsor the coal-related portions of these schedules, and Mr. Klein sponsors the purchased power portions. Mr. Grant and SPS witness Bennie F. Weeks also co-sponsor Schedule I-2.

Schedule I-9 presents organizational charts related to fuel and purchased power. I sponsor the organizational chart and supporting information for the coal supply organization I lead. Mr. Grant, Mr. Klein, and Ms. Weeks sponsor the remaining organizational charts and supporting information.

1           In Schedule I-10, which provides employee ethics documents, I  
2           co-sponsor the Xcel Energy Code of Conduct. Mr. Grant, Mr. Klein, Ms. Weeks  
3           and SPS witness Carol Bouw co-sponsor this schedule.

4           In Schedule I-13, which provides information regarding relationships with  
5           fuel suppliers, I sponsor the information as it pertains to SPS's coal suppliers.  
6           Mr. Grant sponsors the remaining parts of the schedule.

7           In Schedule I-14, which provides information on fuel audits, I sponsor the  
8           information regarding the audit of TUCO (SPS's coal supplier). Mr. Grant  
9           sponsors the remaining parts of the schedule.

10          I sponsor the identification of coal supply contracts provided in Schedule  
11          I-15. Mr. Klein sponsors the identification of purchased power agreements in the  
12          same schedule.

13          The I-17 Schedules and Schedule I-18 address coal costs<sup>3</sup> and supplier  
14          locations.

15          The I-19 Schedules address various aspects of using railcars to transport  
16          coal to SPS's power plants.

17          Schedule I-20 addresses certain kinds of travel costs incurred by personnel  
18          involved in acquiring fuels. I sponsor the costs incurred by coal supply personnel.  
19          SPS witness Jeffrey Butler sponsors the remaining parts of the schedule.

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<sup>3</sup> The costs in Schedule I-17 are reported on a production month basis, while the costs addressed in this testimony are provided based on the General Ledger, consistent with the cost of service presented by SPS witness Stephanie N. Neimi.

1                   I sponsor the coal-related portion of Schedule I-21, which provides a  
2                   narrative description of certain fuel management activities. Mr. Grant and Mr.  
3                   Klein also co-sponsor this schedule.

4   **Q.    Were the portions of the RFP schedules you sponsor or co-sponsor prepared**  
5           **by you or under your supervision and control?**

6   A.    Yes, except for Schedule I-10, which contains the Xcel Energy Code of Conduct.

7   **Q.    Do you incorporate the portions of the RFP schedules and the portions of the**  
8           **Executive Summary sponsored or co-sponsored by you into your testimony?**

9   A.    Yes.

1           **IV. COAL-RELATED COSTS INCLUDED IN SPS'S BASE RATES**

2   **Q.    How does SPS procure its coal requirements?**

3   A.    SPS procures coal for Tolk and Harrington from TUCO under a sole-supplier  
4       Coal Supply Agreement for each station. SPS takes ownership of the coal when it  
5       physically enters the fuel bunkers of Tolk and Harrington.

6   **Q.    Does the FSO Department oversee the coal procurement on behalf of SPS?**

7   A.    Yes. The FSO Department determines SPS's coal needs, administers the Coal  
8       Supply Agreements with TUCO, oversees TUCO's procurement of coal and  
9       transportation services, and oversees TUCO's administration of its contracts.

10 **Q.    Please explain TUCO's role under the Coal Supply Agreements.**

11 A.    TUCO's responsibilities under the Coal Supply Agreements include:

- 12           • purchasing coal;
- 13           • owning and managing the inventory stockpiles;
- 14           • leasing railcars;
- 15           • arranging for the transportation and handling of the coal; and
- 16           • negotiating and administering contracts for coal supply, transportation,  
17           and handling.

18 **Q.    How does TUCO obtain coal to satisfy SPS's coal requirements?**

19 A.    TUCO owns no coal reserves, but instead contracts with coal suppliers to satisfy  
20       SPS's coal needs.<sup>4</sup> TUCO also provides coal transportation services under  
21       long-term transportation agreements with the Burlington Northern Santa Fe  
22       Railway Company.

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<sup>4</sup> Tolk and Harrington are both designed to burn coal specifically from the Powder River Basin in Wyoming.

1    **Q.    Does TUCO contract with any other entity to help provide or prepare the**  
2           **coal burned at Tolk and Harrington?**

3    A.    Yes. TUCO and Savage have entered into Coal Handling Service Agreements for  
4           both Tolk and Harrington. Under those Coal Handling Service Agreements,  
5           Savage is responsible for various coal-handling activities at Tolk and Harrington,  
6           such as crushing and processing coal. TUCO pays Savage for those activities in  
7           accordance with the terms of the Coal Handling Service Agreements. TUCO then  
8           passes the Savage costs through to SPS in accordance with the terms of the Coal  
9           Supply Agreements.

10   **Q.    Are any of the coal-related costs incurred by SPS recovered through eligible**  
11          **fuel expense?**

12   A.    Yes. The coal commodity costs and the coal transportation costs are recovered  
13          through fuel costs, but the costs incurred under the long-term Coal Handling  
14          Service Agreements between TUCO and Savage are recovered through base rates.

15   **Q.    Please describe which specific types of coal-related costs are recovered**  
16          **through base rates and which are recovered through fuel costs.**

17   A.    Table HCR-RR-2 (next page) lists the specific types of coal-related costs and  
18          identifies the mechanism by which each type of cost is recovered.

1

**Table HCR-RR-2**

<b>Coal-Related Costs Recovered in Base Rates</b>	<b>Coal-Related Costs Recovered Through Fuel</b>
Costs incurred for furnishing railcars and for handling, unloading, storing, crushing, processing, weighing, and delivering coal to SPS's bunkers	Free on Board mine cost of coal
Assessments and taxes (except federal and state income taxes)	Cost of transportation from the mine to the unloading facilities
Cost of financing coal inventories	Cost of coal losses
The contractual margin payment <sup>5</sup>	

2 **Q. What amount of coal-related costs does SPS seek to recover in this case?**

3 A. SPS is requesting that \$32,861,624 of coal-related costs be included in base rates.  
 4 That is the sum of: (1) the actual amount of SPS's coal-related costs incurred  
 5 during the first nine months of 2020, and (2) an estimate of SPS's coal-related  
 6 costs for the Update Period.

7 **Q. Are the coal-related costs that SPS seeks to recover reasonable and**  
 8 **necessary?**

9 A. Yes. Without the services provided by TUCO and Savage, SPS would not have  
 10 usable coal to burn at Tolk and Harrington. I describe later in my testimony the  
 11 efforts by SPS to control the coal-handling costs.

12 **Q. Have there been any changes to the TUCO contracts that have affected costs**  
 13 **during the Test Year?**

14 A. No. SPS's current Coal Supply Agreements with TUCO for both Harrington and  
 15 Tolk are effective from January 1, 2018 through December 31, 2022. These Coal

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<sup>5</sup> This margin is the payment for TUCO's services.

1 Supply Agreements continue the service that TUCO provided to SPS under  
2 previous Coal Supply Agreements dating back to 1979. The Coal Handling  
3 Service Agreements currently in place between TUCO and Savage are also  
4 effective from January 1, 2018 through December 31, 2022.

5 **Q. As part of this proceeding, is SPS proposing to change the way it treats coal**  
6 **costs in the future?**

7 A. No.

8 **Q. Do the base rate Test Year costs include any non-recurring or unusual items**  
9 **that are unrepresentative of costs to be incurred in the future for these**  
10 **activities?**

11 A. No.

12 **Q. Have the Coal Supply Agreements between SPS and TUCO been reviewed**  
13 **by the Commission in previous regulatory proceedings?**

14 A. Yes. The current Coal Supply Agreements were effective on January 1, 2018 and  
15 were presented in SPS's last base rate case, Docket No. 49831.

16 **Q. Are the costs associated with the Coal Supply Agreements the same types of**  
17 **costs that have been included in base rates in previous SPS base rate cases?**

18 Yes. The coal-related costs included in base rates in this case are the same types  
19 of coal-related costs that have been included in SPS's base rates since 2007.



1       **V. REASONABLENESS OF COAL COSTS INCLUDED IN BASE RATES**

2       **Q. How does SPS assure the reasonableness and necessity of the costs incurred**  
3       **by TUCO for coal handling services, assessments and taxes, financing coal**  
4       **inventories, and the margin under the Coal Supply Agreements?**

5       A. SPS engages in several activities to ensure that all costs passed on by TUCO are  
6       reasonable and necessary. For example, SPS actively monitors TUCO's  
7       contracting activities that could affect SPS's costs, and SPS has frequent  
8       discussions with TUCO before execution of any contracts that would affect these  
9       costs. Through these discussions, SPS ensures that the overall bid solicitation is  
10      conducted so that TUCO will receive the most competitive bids to meet SPS's  
11      needs.

12             During all contract evaluation processes, SPS reviews TUCO's  
13      methodologies and conclusions to ensure that the lowest reasonable cost supplier  
14      or suppliers are selected. SPS reviews those supplier costs within the context of  
15      the current market conditions and with the best information available at the time.  
16      SPS also reviews and provides comments to TUCO on draft agreements, thus  
17      ensuring the most advantageous and flexible arrangements are made. In addition,  
18      SPS works with its generation plant engineers to ensure that any operational  
19      concerns can be addressed in the agreements' terms.

20             Additionally, TUCO informs SPS of various discussions and negotiations  
21      between TUCO and its contractors. As a result, SPS ensures that the terms and  
22      conditions TUCO ultimately achieves are the result of arm's-length negotiations  
23      and are in the best interests of SPS.

1           Finally, SPS engages in contract administration activities, which are  
2           further described in the next answer, to ensure it is billed correctly under the  
3           various contracts. All of these efforts help ensure that SPS's coal-related costs  
4           recovered through base rates are reasonable and necessary expenses.

5   **Q.   Please elaborate on the contract administration activities you just mentioned.**

6   A.   SPS ensures the accuracy and reasonableness of TUCO's charges for delivered  
7           coal by checking invoices and by conducting annual audits of TUCO.<sup>6</sup> This  
8           activity includes not only the coal acquisition and transportation agreements, but  
9           also the other contracts that affect coal-related costs included in the cost of  
10          service. For example, SPS performs calculations to ensure the accuracy of  
11          finance charges and TUCO's margins. SPS also reviews the other cost  
12          components in TUCO's invoices to ensure both the contractual validity of each  
13          component and the accuracy of the calculation of each cost category.

14   **Q.   Are there specific activities that TUCO or SPS, or both, pursue to assure**  
15          **themselves that the costs incurred for base rate coal costs are reasonable and**  
16          **necessary?**

17   A.   Yes. TUCO and Savage engage in monthly operational meetings to discuss  
18          relevant coal handling issues and coal delivery developments for Tolk and  
19          Harrington. SPS's coal supply and FSO personnel also attend these monthly  
20          meetings. TUCO employees monitor Savage's costs relative to the amounts  
21          budgeted for coal-handling activities. TUCO and SPS employees also review  
22          Savage's monthly coal-handling invoices for accuracy and conformance with  
23          approved activities and identified budget expenditures through the annual audit of

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<sup>6</sup> The 2019 audit report is Attachment HCR-RR-1(CONF) to my testimony.

1 the TUCO contract. In addition, TUCO engages an independent accounting firm  
2 to examine Savage's performance under its contract with TUCO, in accordance  
3 with the standards established by the American Institute of Certified Public  
4 Accountants.

5 **Q. Has TUCO recently pursued any actions to enhance safety or operational**  
6 **efficiencies at Tolk and Harrington?**

7 A. Yes. TUCO has authorized Savage to undertake several projects at Tolk and  
8 Harrington to improve safety and efficiency. Over time, those efforts are likely to  
9 lower costs or reduce the extent of unavoidable cost increases. The following is a  
10 brief description of the projects:

11 **Tolk Station**

12 **2019:**

- 13 • Replacement of plugged chute detectors
- 14 • Replacement of Caterpillar D10 Dozer

15 **2020:**

- 16 • Replacement of Caterpillar D10 Dozer
- 17 • Replacement of LED lighting in tunnel, warehouse, and exterior
- 18 • Replacement of ash track tie
- 19 • Rotary dumper mechanical inspection

20 **Harrington Station**

21 **2019:**

- 22 • Replacement of Caterpillar D10 Dozer
- 23 • Replacement of conveyor belt 240 and 250 supporting framework

24 **2020:**

- 25 • Replacement of Caterpillar D10 Dozer
- 26 • Installation of new conveyor belts 240, 250 and 400
- 27 • Upgrade to reclaim tunnel LED lighting
- 28 • Upgrade of PLC computer
- 29 • Crusher rebuild
- 30

31 The costs of these projects are included in SPS's base rates.

1   **Q.**    Are the coal-related costs that SPS seeks to recover in this case reasonable  
2           and necessary?

3   **A.**    Yes. The coal-related costs that SPS seeks to recover in this case are reasonable  
4           and necessary for SPS to provide safe and reliable electric service to its  
5           customers.

1           **VI.   NO COAL OR COAL-RELATED AFFILIATE TRANSACTIONS**

2   **Q.    Do any of the coal or coal-related costs included in SPS's Updated Test Year**  
3           **cost of service reflect the purchase of goods or services from an affiliate?**

4   **A.    No.**

5   **Q.    Did TUCO engage in any transactions with an affiliate of SPS during the**  
6           **Updated Test Year or Test Year?**

7   **A.    No.**

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

9   **A.    Yes.**

**AFFIDAVIT**

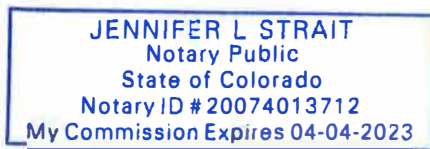
STATE OF COLORADO                    )  
  )  
COUNTY OF DENVER                    )

H. CRAIG ROMER, first being sworn on his oath, states:

I am the witness identified in the preceding testimony. I have read the testimony and the accompanying attachment(s) and am familiar with the contents. Based upon my personal knowledge, the facts stated in the testimony are true. In addition, in my judgment and based upon my professional experience, the opinions and conclusions stated in the testimony are true, valid, and accurate.

  
\_\_\_\_\_  
H. CRAIG ROMER

Subscribed and sworn to before me this 25<sup>th</sup> day of January, 2021 by H. CRAIG ROMER.



  
\_\_\_\_\_  
Notary Public, State of Colorado

My Commission Expires: 04-04-2023

**Attachment HCR-RR-1(CONF)**

**Pages 1 through 2  
of  
Attachment HCR-RR-1(CONF)  
2019 TUCO Audit**

**Are  
Confidential Protected Information**

**CONFIDENTIAL PROTECTED MATERIALS  
PROVIDED PURSUANT TO PROTECTIVE ORDER**