

**Xcel Energy/USFWS  
Avian Protection Memorandum Of Understanding  
Semi-Annual Report #4  
January 28, 2004**

**Covering August 3, 2003 through December 31, 2003 Reporting Period**

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On April 19, 2002, Xcel Energy and the USFWS (Service) entered into a Memorandum of Understanding (MOU) to establish procedures and policies to be employed by the Company's operating companies and the Service in dealing with migratory birds that may be present, injured or killed on the Company's property during the period of this MOU.

As part of the agreement, Xcel Energy agreed to file a report three months and two weeks after the date of the execution of this MOU to the Service compiling the information described above in the MOU, which occurred during the initial three-month period. The Company submitted the first report on August 2, 2002. One report is submitted on behalf of all the operating companies that signed the MOU every six months. Since some of the special use permits recently acquired by several of the Xcel operating companies have January 31, 2004 reporting dates, we have moved up the reporting date slightly to accommodate both submittal date requirements. We will now provide reports that cover January 1 through June 30 and July 1 through December 31. The reports will be filed within 30 days of the final report date.

**1. Status of the Development and Implementation of an Avian Protection Plan (APP)**

EDM International, Inc. has issued a final draft APP for Xcel Energy operating companies Public Service Company of Colorado (PSCo) and Cheyenne Light Fuel and Power Company (CLFP). The Company is now reviewing the document to provide comments to EDM before the final report is completed and submitted to the Service. Xcel Energy staff is developing plans for implementing the final APP. We expect to submit the final APP to the Service for review this summer.

As reported previously, Xcel Energy plans to start the APP's for its operating companies Northern States Power - Wisconsin (NSPW), Northern States Power - Minnesota (NSPM), and Southwestern Public Service Company (SPS) this year, but they will not be fully developed until the PSCo APP is finalized. This will allow us to develop one APP, work out issues and have the format available to promptly complete the remaining APP's. We plan to go out for bid on the rest of the APP work this year to start the fieldwork in the summer of 2004.

Regardless of the completion date of the APP's, Xcel Energy will continue to manage issues that arise with electrocutions and collisions that occur as the APP's are developed.

Xcel Energy has implemented a training program for all electric delivery field personnel

that may encounter birds. This training program is currently underway. Copies of information handouts and posters are included with the hard copies of this report that are sent out to the various Regions' migratory permit coordinators. Xcel Energy is working on these issues and is in compliance with Section 4.A. of the other MOUs.

## 2. Status of Special Purpose Permit

Xcel Energy has filed applications for special purpose permits for all of the operating companies. Special Purpose permits have been issued by Region 3 for NSPM (Permit MB074020-0) and NSPW (Permit MB074019-0) and Region 6 for PSCo (Permit MB702651-1) and CLFP (Permit MB793891-0) The SPS application is currently under review by the respective USFWS Migratory Bird Offices.

## 3. Summary of Avian Injuries

None reported for any of the operating companies for this report period.

Operating Company	Description	Date	Comments

## 4. Summary of Avian Deaths

The following table summarizes avian deaths that have occurred since August 2, 2002. As noted in the introduction section, we are changing our reporting period to correspond with our special purpose permit reporting requirements. We have reported all occurrences through December 31, 2003. Specific details of an incident can be provided upon request.

Operating Company	Description	Date	Comments
NSPW	Red-Tail Hawk	10/30/2003	Red Tail Hawk found dead under single-phase distribution line near Stockholm, WI. Reported to WDNR and USFWS offices. Retrofit of pole will be assessed in early 2004.
NSPW	Crow	8-22-03	Crow electrocuted on distribution line. Carcass left at site. Structure will be reviewed in spring 2004 to determine if any modification of structure possible at this time.
CLF&P	Hawk, unknown type	8/27/03	Hawk was electrocuted on pole-mounted transformer south of Cheyenne, WY. Carcass was thrown in garbage as directed by Wyoming Game and Fish. Transformer was retrofitted.
CLF&P	Owl, unknown type	9/3/03	Owl was electrocuted on pole-mounted transformer south of Cheyenne, WY. Carcass was left in place as directed by Wyoming Game and Fish. Transformer was retrofitted.

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Operating Company	Description	Date	Comments
PSCo	Duck, unknown type	9/11/03	Carcass was found in the Jeweli Substation in Denver, CO. Cause of death is unknown and there were no signs of possible electrocution. Carcass discarded and no retrofitting is required.
PSCo	Canadian Goose	12/17/03	Carcass was discovered in the Denver Terminal Substation dead and with a broken wing. Cause of death is unknown and there were no signs of possible electrocution. Carcass was double bagged and discarded as directed by Colorado Division of Wildlife.
SPS	Red Tailed Hawk	09/12/03	Carcass was discovered near Carlsbad, NM, during an outage. Carcass was left at base of pole. Transformer was retrofitted with one bird guard.
SPS	American Coot	09/18/03	Carcass was discovered at Pantex North Substation, at Pantex, near Amarillo Texas. Pantex personnel took responsibility of the carcass and any further actions.
SPS	Barn Owl	10/01/03	Carcass was discovered in Friona, Texas during an outage. Carcass was left at base of pole. Transformer was retrofitted with one bird guard.
SPS	Turkey Vulture	10/04/03	Carcass was discovered in Fritch, Texas during an outage. The bird flew into the transformer risers. Carcass was left at base of pole. Retrofit of pole will be assessed in early 2004.
SPS	Hawk or Owl	10/10/03	Carcass was discovered near Cactus, Texas during an outage. Carcass was burnt beyond recognition and left at base of pole. Retrofit of the capacitor bank will be assessed in early 2004.
SPS	Red Tailed Hawk	10/15/03	Carcass was discovered on Cunningham Station property, near Hobbs, NM. Carcass was left at base of pole. Retrofit of the 3-bank transformer rack will be assessed in early 2004.
SPS	Grackel	11/05/03	Carcass was discovered at Pullman Substation, near Amarillo, Texas, during an outage. Carcass was left at substation. Retrofit of structure will be assessed in early 2004.
SPS	Great Blue Heron	11/18/03	The bird flew into a static wire, top line, & got severely injured, and tangled. Status of bird: The Heron had a severely broken wing. A zookeeper from the Spring River Zoo in Roswell, Marge Wood, came and helped out with euthanizing the bird. Fish and Game, and the zoo wildlife official determined the bird would not survive. SPS crew humanely put down the bird, under Mrs. Wood's guidance, before it was taken down. Game & Fish official on site: Ben Hanson from the Roswell area.
SPS	Red Tailed Hawks	11/21/03	Two carcasses were discovered near Amarillo, TX. Since no outages occurred, SPS personnel were unaware of the electrocutions. Resident phoned second electrocution in. One carcass was significantly decayed. Carcasses were left at base of pole. Transformer was retrofitted with one bird guard and one jumper cable lead insulation.
SPS	Great Horned Owl	11/24/03	Carcass was discovered near Borger, Texas during an outage. Carcass was left at base of pole. Retrofit of pole will be assessed in early 2004.

Operating Company	Description	Date	Comments
SPS	Great Horned Owls	12/21/03	Two carcasses were discovered in Hansford County Texas near Gruver during an outage. The owls were electrocuted while feasting on a rabbit when contact was made between two phases of a three-phase pole. Carcasses were left at base of pole. Retrofit of pole will be assessed in early 2004.

**5. Summary of Migratory Bird Nest Removals**

**A. Active Migratory Bird Nests Non-Emergency Removals**

None have been reported.

**B. Active Nests Of Non-Endangered/Threatened, Non-eagle Migratory Birds—  
Emergency Removals**

None have been reported

Operating Company	Description	Date	Comments

**C. Inactive Nests of Non-listed, Non-eagle Migratory Birds –Emergency Removal**

With the new FWS policy (Memorandum (MBPM-2) issued April 15 2003) for removal of inactive nests of non-listed, non-eagle migratory birds, Xcel Energy will no longer report these activities in this report. We will continue to work with the appropriate state agencies as necessary.

**D. Endangered/Threatened Migratory Bird Nest Removals**

No removals for this reporting period.

**6. Eagle Permits**

No requests have been filed.

**7. Summary of Record-Keeping Procedures**

Each contact for the operating companies is coordinating contacts and reports. Once

the special purpose permits are acquired, final procedures will be completed. All biannual reports submitted to USFWS are kept on a shared folder for the Company.

**8. Next Report Date**

The next report will be submitted to the Service within 30 days following July 31, 2004.

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