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SOAH DOCKET NO. 473-18-0708
PUC DOCKET NO. 47472

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PUBLIC UTILITY COMMISSION
FILING CLERK

COMMISSION STAFF'S PETITION TO § BEFORE THE STATE OFFICE
DETERMINE REQUIREMENTS FOR § OF
SMART METER TEXAS § ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 5
REVISING DEADLINES AND REQUIREMENTS AND RECORD CLOSE DATE

On January 5, 2018, the parties filed a letter in response to State Office of Administrative Hearings (SOAH) Order No. 5. The letter indicates they have settled all issues in this case except one (Contested Issue). The Contested Issue is whether Smart Meter Texas should allow a Residential Customer or a Business Customer that is not a Large Business Customer to grant a Competitive Service Provider access to the Customer's Smart Meter Texas data for longer than 12 months. The letter proposes a revised schedule to brief the Contested Issue. In this order, the Administrative Law Judge (ALJ) adopts the proposed schedule with some clarifications.

The Order of Referral issued by the Public Utility Commission of Texas (Commission) requested that the ALJ "issue a proposal for decision [PFD] if necessary to resolve any issues that are contested by the parties." Consistent with that order, the January 29 and 31 and February 7 filings described below and the ALJ's PFD will be limited to the Contested Issue except for brief discussion of the procedural history and the current scope of issues in dispute. The following deadlines apply to post-hearing filings regarding the Contested Issue:

<i>Filing</i>	<i>Deadline</i>
Initial Briefs	January 29, 2018
Redlined Decision Point Lists and Proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs	January 31, 2018
Reply Briefs, including any reply to the filings described above	February 7, 2018


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Each initial brief and each reply brief **SHALL** not exceed 25 pages of text. The page limit does not apply to items such as a table of contents or a list of abbreviations and acronyms. Reply briefs **SHALL** be limited to responding to other parties' January 29 or 31, 2018 filings described above, and **SHALL** specify the part of a party's filing to which each part of the reply brief is responding. Post-hearing filing requirements and procedures stated in SOAH Order No. 3 remain in effect except as revised in orders subsequent to that order. **The record closes February 7, 2018.**

Regarding any of its testimony admitted in evidence that, in whole or in part, addresses the Contested Issue, **no later than January 18, 2018**, each party **SHALL** email a Word version of such testimony (which may exclude non-native attachments) to the ALJ's administrative assistant, Erin Hurley, at Erin.Hurley@soah.texas.gov. Each party **SHALL** also email to Ms. Hurley a Word version of its January 29 and 31 and February 7, 2018 filings described in this order **promptly after each of those filings is made**. Each email to Ms. Hurley **SHALL** include the SOAH docket number. The electronic name of each Word document attached to the email **SHALL** indicate what the document is, *e.g.*, [party name] Initial Brief or [witness name] Direct Testimony.

In a December 28, 2017 letter, the parties said they "have agreed to finalize a full and comprehensive Stipulation . . . and to seek Commission approval of that Stipulation" and to brief the Contested Issue. The ALJ assumes the parties will file the Stipulation and related documents in time for them to be referenced in the PFD and considered by the Commission at the same time it considers the PFD, which Oncor requests occur at the April 12, 2018 open meeting. If that assumption is incorrect, the ALJ asks the parties to clarify their intent in a written filing.

SIGNED January 9, 2018.



ELIZABETH DREWS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS