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**SOAH DOCKET NO. 473-02-2745  
PUC DOCKET NO. 25802**

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**APPLICATION OF TXU ENERGY § BEFORE THE STATE OFFICE  
RETAIL COMPANY TO INCREASE § OF  
PRICE TO BEAT FUEL FACTORS § ADMINISTRATIVE HEARINGS**

PUBLIC UTILITY COMMISSION  
FILED CLERK

**RELIANT RESOURCES, INC.'S REQUEST TO FILE LATE  
AND STATEMENT OF POSITION**

**Contact: Jonathan L. Heller  
(713) 207-5045**

**May 1, 2002**

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<b>APPLICATION OF TXU ENERGY</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
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<b>PRICE TO BEAT FUEL FACTORS</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>


**RELIANT RESOURCES, INC.'S REQUEST TO FILE LATE  
AND STATEMENT OF POSITION**

On April 25, 2002, the ALJ issued Order No. 1 in the above-captioned Docket. Reliant Resources, Inc. (RRI) inadvertently did not file a statement of position on May 3, 2002. RRI respectfully requests the ALJ accept this late-filed statement of position and requests that it be included in the record in this case. RRI submits that no party is disadvantaged by the filing of this statement of position on May 7, 2002. RRI does not plan on filing any direct testimony and takes no issue with TXU Energy Retail Company's (TXU's) filing. RRI wants to assure, however, that its right to cross-examine witnesses and participate fully as a party in the case is preserved.

RRI submits that the proceeding should be limited to (1) the calculation of the average of the closing forward 12-month NYMEX Henry Hub natural gas price, as reported in the *Wall Street Journal*, for each business day of the ten-day period ending no more than ten business days before the filing of the application; (2) whether the calculation of the ten-day rolling price is based on the average forward price for each of the business days; (3) whether the percentage difference between the average ten-day rolling price calculated above and the averaged ten-day rolling price used to calculate the current fuel factor is 4% or more; and (4) whether the amount resulting from the percentage difference is added to one and then multiplied by the current fuel factor.

Based on the foregoing, RRI respectfully requests that the ALJ include RRI's statement of position in the record of this proceeding.

Respectfully submitted,



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ATTORNEYS FOR  
RELIANT RESOURCES, INC.

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document **was** served on all parties of record in this proceeding by hand delivery, overnight delivery, or United States first class mail on this 7th day of May, 2002.