



Control Number: 25960



Item Number: 17

Addendum StartPage: 0

DOCKET NO. 25960

APPLICATION OF BRAZOS ELECTRIC § PUBLIC UTILITY COMMISSION
POWER COOPERATIVE, INC. TO CHANGE §
RATES FOR WHOLESALE TRANSMISSION § OF TEXAS
SERVICE §

RECEIVED
02 JUL - 1 PM 1:28
JULIE D. HARRIS
FILING CLERK

ORDER NO. 4

**GRANTING MOTION TO INTERVENE, DENYING REQUEST FOR INTERIM RELIEF
AND SETTING PREHEARING CONFERENCE**

On June 26, 2002, TXU Energy Retail Company LP (TXU Energy) filed a motion to intervene in this proceeding. TXU Energy asserted that has a justiciable interest in this proceeding because it pays transmission charges to transmission and distribution service providers that will be affected by the rate changes sought by Brazos Electric Power Cooperative, Inc. (the Applicant). Finding that the requirements of P.U.C. PROC. R. 22.103 and 104 have been satisfied, the motion of TXU Energy to intervene is hereby granted.

On June 27, 2002, the Applicant requested that a prehearing conference be set for July 8, 2002, in the above-referenced proceeding, and that prior to or at the prehearing conference, the undersigned administrative law judge (ALJ) grant the Applicant's request for interim relief and implementation effective July 2, 2002. The ALJ denies the Applicant's request for interim relief, as the request does not comply with P.U.C. PROC. R. 22.125(c) which requires the agreement of all parties.

A prehearing conference is scheduled to be held at the Commission's offices at 1701 N. Congress Avenue, Austin, Texas, Hearing Room Gee, on July 8, 2002, at 9:30 a.m., to discuss the following:

- (1) the Applicant's compliance with notice; and
- (2) the establishment of a procedural schedule, including the timely review of the Applicant's request for interim relief;
- (3) any other procedural matters necessary for the fair and efficient administration of this proceeding.

The Commission will request that a court reporter attend this prehearing conference. Please be advised, however, that unless one or more of the parties contact Kennedy Reporting at (512) 474-2233 and indicate that they wish to purchase a transcript, the proceeding may not be transcribed by a court reporter.

SIGNED AT AUSTIN, TEXAS the 1st day of July 2002.

PUBLIC UTILITY COMMISSION OF TEXAS



MARK GENTLE
ADMINISTRATIVE LAW JUDGE
POLICY DEVELOPMENT DIVISION