

Control Number: 25960



Item Number: 19

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DOCKET NO. 25960

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

PROOF OF NOTICE AFFIDAVIT

BEFORE ME, the undersigned authority, on this 2nd day of July, 2002, personally appeared J. David Carpenter, who being by me duly sworn on oath deposed and said:

"1. My name is J. David Carpenter. I am an attorney of record for Brazos Electric Power Cooperative, Inc. ("**Brazos Electric**") in Docket No. 25960. I have personal knowledge of the facts stated herein. Such facts are true and correct.

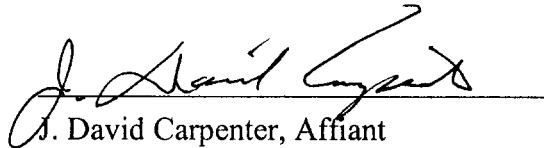
2. **Exhibit A**, which was attached to and filed as part of Brazos Electric's Statement of Intent to Change Rates for Wholesale Transmission Service ("**Brazos Electric's Statement of Intent**"), lists parties who were served with a copy of the Notice via first class mail on May 24, 2002 and with a Clarification of Statement of Intent to Change Rates for Wholesale Transmission Service ("**Clarification**") with Brazos Electric's Notice in Docket No. 25960. The Public Utility Commission's Office of Regulatory Affairs and the Office of Public Utility Counsel were served with a copy of the Notice on May 28, 2002. A copy of Brazos Electric's Notice is attached as **Exhibit B** and the Clarification is attached as **Exhibit C**. Brazos Electric's filing of an application to change wholesale transmission rates is based on a revised transmission cost of service.

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1

3. The list attached as **Exhibit A** is comprised of the parties in 25002, *Commission Staff's Application to Set 2002 Wholesale Transmission Service Charges for ERCOT* and Brazos Electric's wholesale power customers. If a party was represented by an attorney in Docket 25002, the address of the attorney was used for serving Brazos Electric's Notice.

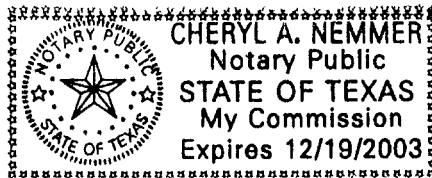
4. Notice to those listed on **Exhibit A** should reasonably provide notice of Brazos Electric's Statement of Intent to currently participating ERCOT transmission service providers and customers."

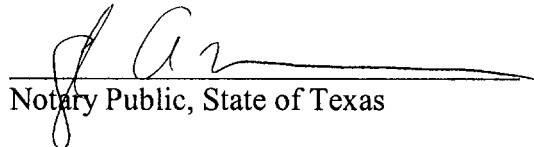
FURTHER AFFIANT SAYETH NOT.


J. David Carpenter, Affiant

STATE OF TEXAS
COUNTY OF MCLENNAN

SUBSCRIBED AND SWORN TO before me on this 2nd day of July, 2002, to certify which witness my hand and seal of office.




Notary Public, State of Texas

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Proof of Notice Affidavit was mailed by United States mail, postage prepaid, or delivered via Facsimile, Federal Express, or hand delivery, on the 2nd day of July, 2002, to all parties of record.

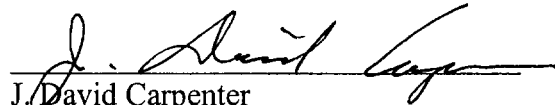

J. David Carpenter
State Bar No. 03845800
28015 West Highway 84
McGregor, Texas 76657
(254) 848-2600
(254) 848-2700 (Fax)

EXHIBIT "A"
LIST OF PARTIES SERVED

PARTIES	RESENTATIVE/ADDRESS
PUBLIC UTILITY COMMISSION	LEGAL DIVISION PUBLIC UTILITY COMMISSION 1701 N. CONGRESS AVENUE SUITE 8-110 AUSTIN, TX 78711-3326 512-936-7260 512-936-7268 (FAX)
FLORESVILLE ELECTRIC LIGHT AND POWER SYSTEM	THOMAS K. ANSON STRASBURGER & PRICE, L.L.P. 600 CONGRESS AVE , SUITE 2600 AUSTIN, TX 78701 512-499-3608 512-536-5718 (FAX) Tom.Anson@Strasburger.com
CITY OF COLLEGE STATION	STEPHEN FOGEL JOHN P. DONISI BICKERSTAFF, HEATH, SMILEY, POLLAN, KEVER & MCDANIEL, L.L.P. 1700 FROST BANK PLAZA 816 CONGRESS AVE. AUSTIN, TX 78701-2443 512-472-8021 512-320-5638 (FAX) sfogel@bickerstaff.com
GEUS – GREENVILLE ELECTRICAL UTILITY SYSTEM	JIM BOYLE LAW OFFICES OF JIM BOYLE 1005 CONGRESS AVE., SUITE 550 AUSTIN, TX 78701 512-474-1492 512-474-2507 (FAX)
CITY OF AUSTIN d/b/a AUSTIN ENERGY	BOB KAHN JOHN V. TEMPESTA CITY OF AUSTIN d/b/a AUSTIN ENERGY 721 BARTON SPRINGS ROAD, SUITE 500 AUSTIN, TX 78704-1194 512-322-6572 (KAHN) 512-322-6598 (TEMPESTA) 512-322-6521 (FAX)

PARTIES	RESENTATIVE/ADDRESS
RELIANT ENERGY, INCORPORATED	DENISE S. HARDCASTLE RELIANT ENERGY, INCORPORATED P.O. BOX 4567 HOUSTON, TX 77210-4567 713-207-5767 713-207-9840 (FAX) denise-hardcastle@reliantenergy.com
TEXAS-NEW MEXICO POWER COMPANY	SHAUNA L. LORENZ GJERSET & LORENZ, LLP 4425 S. MOPAC EXPY. BUILDING 2, SUITE 101 AUSTIN, TX 78735 512-899-3599 512-899-3939 (FAX) lorenz@gl-law.com
CENTRAL POWER & LIGHT COMPANY; WEST TEXAS UTILITIES COMPANY (AEP ERCOT COMPANIES)	BARRY SMITH AMERICAN ELECTRIC POWER COMPANY 400 WEST 15 TH STREET, SUITE 650 AUSTIN, TX 78701 512-481-4551 512-481-4588 (FAX)
BRAZOS ELECTRIC COOPERATIVE MID-TEX GROUP	PHILIP R. SEGREST SEGREST & SEGREST, P.C. 28015 WEST HIGHWAY 84 MCGREGOR, TX 76657 254-848-2600 254-848-2700 (FAX)
MEDINA ELECTRIC COOPERATIVE, INC.	ALLEN H. KING DENNIS W. DONLEY, JR. NAMAN, HOWELL, SMITH & LEE, P.C. 8310 CAPITAL OF TX HWY NORTH STE 490 AUSTIN TX 78731 512-479-0300 512-474-1901 (FAX) King@namanhowell.com Donley@namanhowell.com

PARTIES**REPRESENTATIVE/ADDRESS**

PUBLIC UTILITIES BOARD OF THE CITY OF
BROWNSVILLE

CITY OF WEATHERFORD

RICHARD L. CROZIER
DAVIDSON & TROILO, P.C.
919 CONGRESS AVE., SUITE 810
AUSTIN, TX 78701
512-469-6006
512-473-2159 (FAX)
rcrozier@davidsonstroilo.com

CAP ROCK ELECTRIC COOPERATIVE, INC.

CITY OF DENTON

CITY OF GARLAND

TEXAS MUNICIPAL POWER AGENCY

LAMBETH TOWNSEND
LLOYD, GOSSELINK, BLEVINS, ROCHELLE,
BALDWIN & TOWNSEND, P.C.
111 CONGRESS AVE., SUITE 1800
AUSTIN, TX 78701
512-322-5830
512-472-0532 (FAX)

SAN ANTONIO CITY PUBLIC SERVICE
BOARD

W. ROGER WILSON
PAUL M. GONZALEZ
MATTHEWS AND BRANSCOMB, P.C.
112 E. PECAN, SUITE 1100
SAN ANTONIO, TX 78205-1516
210-357-3900
210-357-9324 (FAX)

EAST TEXAS COOPERATIVES

FERNANDO RODRIGUEZ
NELSON H. NEASE
BRICKFIELD, BURCHETTE, RITTS & STONE
1005 CONGRESS AVE., SUITE 400
AUSTIN, TX 78701
512-472-1081
512-472-7473 (FAX)

SOUTH TEXAS ELECTRIC COOPERATIVE,
INC.

JO CAMPBELL
ATTORNEY AT LAW
P.O. BOX 154415
4514 HARRISON STREET
WACO, TX 76715
254-799-2978
254-799-2217 (FAX)
jocampbell@stec.org

PARTIES	RESENTATIVE/ADDRESS
SHARYLAND UTILITIES, L.P.	RICHARD P. NOLAND SUTHERLAND ASBILL & BRENNAN LLP AUSTIN CENTRE 701 BRAZOS STREET, SUITE 1040 AUSTIN, TX 78701-2559 512-478-1665 512-478-1664 (FAX)
LCRA TRANSMISSION SERVICES CORPORATION	PAUL M. SHINKAWA LCRA TRANSMISSION SERVICES CORPORATION P.O. BOX 220 AUSTIN, TX 78767 512-473-4011 512-473-4010 (FAX) pshinkaw@lcra.org
ONCOR ELECTRIC DELIVERY COMPANY formerly TXU ELECTRIC DELIVERY COMPANY (updated 1/25/02-kf)	ANGELA AGEE KENNERLY HUNTON & WILLIAMS 1601 BRYAN ST., 30 TH FLOOR DALLAS, TX 75201-3402 214-979-3000 214-880-0011 (FAX)
TCOS 2002 GROUP (12/5/01-kf)	CAMPBELL MCGINNIS MCGINNIS, LOCHRIDGE & KILGORE, L.L.P. 1300 CAPITOL CENTER 919 CONGRESS AVE. AUSTIN, TX 78701 512-495-6000 512-495-6093 (FAX) cmcginnis@mcginnislaw.com
ERCOT	MARK A. WALKER SENIOR CORPORATE COUNSEL ERCOT 7620 METRO CENTER DRIVE AUSTIN, TX 78744-1654 512/225-7076 512/225-7079 mwalker@ercot.com

PARTIES**RESENTATIVE/ADDRESS**

RIO GRANDE ELECTRIC COOPERATIVE, INC.	ALTON J. HALL, JR. TAMMY R. WAVLE WICKLIFF & HALL, P.C. 1000 LOUISIANA, SUITE 5400 HOUSTON, TX 77002 713-750-3100 713-750-3101 (FAX)
BARTLETT ELECTRIC COOP., INC.	ARNOLD OLIVER BOX 200 BARTLETT, TX 76511-0200
BELFALLS ELECTRIC COOP., INC.	JOE MAREK P. O. BOX 598 ROSEBUD, TX 76570
COMANCHE COUNTY ELECT. COOP.	RONNIE ROBINSON P. O. BOX 729 COMANCHE, TX 76442
COOKE COUNTY ELECT. COOP.	PHILIP E. SLATER P. O. DRAWER 530 MUENSTER, TX 76252
COSERV ELECTRIC	BILL McGINNIS 7701 SOUTH STEMMONS CORINTH, TX 75065
FORT BELKNAP ELECT. COOP.	ROBERT MANNIGER P. O. BOX 486 OLNEY, TX 76374-0486
HAMILTON COUNTY ELECT. COOP.	JOHN HARTGRAVES P. O. BOX 753 HAMILTON, TX 76531
HILCO ELECTRIC COOP.	GERALD LEMONS P. O. BOX 127 ITASCA, TX 76055-0127
J-A-C ELECTRIC COOP.	SARAH SEARS P. O. BOX 278 BLUEGROVE, TX 76352

PARTIES	RESENTATIVE/ADDRESS
McLENNAN COUNTY ELECTRIC COOP.	RICK HAILE P. O. BOX 357 McGREGOR, TX 76657-0357
MID-SOUTH ELECT. COOP.	KERRY KELTON P. O. BOX 970 NAVASOTA, TX 77868-0970
NAVARRO COUNTY ELECT. COOP.	BILLY GILLESPIE P. O. BOX 616 CORSICANA, TX 75151-0616
NAVASOTA VALLEY ELECT. COOP.	JAMES CALHOUN P. O. BOX 848 FRANKLIN, TX 77856-0848
SOUTH PLAINS ELECT. COOP.	J. C. ROBERTS P. O. BOX 1830 LUBBOCK, TX 79408
TRI-COUNTY ELECT. COOP.	A CRAIG KNIGHT 600 S.W. PARKWAY AZLE, TX 76020
UNITED ELECT. COOP. SERVICES	RAY BEAVERS P. O. BOX 16 CLEBURNE, TX 76033
WISE ELECTRIC COOP.	LOYD JACKSON P. O. BOX 269 DECATUR, TX 76234-0269
CITY OF SANGER	JACK SMITH, CITY ADMINISTRATOR P. O. BOX 578 SEYMOUR, TX 76380-0031
CITY OF WHITESBORO	ALLEN BARNES, CITY ADMINISTRATOR P. O. BOX 340 WHITESBORO, TX 76273
TEXAS A&M UNIVERSITY	JIM HARLESS PHYSICAL PLANT, RM. 218 MAIL STOP 1371 COLLEGE STATION, TX 77843-1371

Exhibit B
DOCKET NO. _____

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

NOTICE

On May 24, 2002, Brazos Electric Power Cooperative, Inc. ("**Brazos Electric**") filed with the Public Utility Commission of Texas ("**Commission**") its Application to Change Rates for Wholesale Transmission Service pursuant to PUC Subst. R. 25.191-203.

Brazos Electric previously made a Transmission Cost of Service ("**TCOS**") filing that was approved in PUC Docket No. 15641, *Brazos Electric Power Cooperative, Inc.'s Filing in Compliance with Subst. R. 23.67*. A TCOS in the amount of \$35,992,084 was approved in Docket No. 15641 and has been used for calculating transmission service charges owed to Brazos Electric for the years 1997, 1998, 1999, 2000 and 2001.

This Application is based on a historical test year ending on December 31, 2001. Brazos Electric has requested an effective date for the rate change of June 28, 2002. Brazos Electric's TCOS for the test year period is \$43,115,692. The requested change proposes an increase in rates corresponding to the revised TCOS will result in approximately \$7,123,608 of revenue annually for Brazos Electric above the level established in Docket No. 15641. Brazos Electric has requested an interim rate with an effective date of June 28, 2002 and thereafter for any period of suspension ordered by virtue of the Commission's regulatory authority under PURA § 36.108.

Persons with questions may contact Philip R. Segrest, Brazos Electric's General Counsel, at 254/848-2600. Persons who wish to participate formally in this proceeding, or who wish to express their comments concerning this proceeding, should contact the Public Utility Commission of Texas. The deadline to intervene in this proceeding is July 7, 2002. A request to intervene or a request for further information should be mailed to the Public Utility Commission's Office of Consumer Protection at 512/936-7120 or toll-free at 888/782-8477. Hearing and speech impaired individuals with text telephones ("**TTY**") may contact the Public Utility Commission at 512/936-7136 or use Relay Texas (toll-free) 800/735-2989.

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APPLICATION OF BRAZOS
ELECTRIC POWER COOPERATIVE,
INC. TO CHANGE RATES FOR
WHOLESALE TRANSMISSION
SERVICE

§
§
§
§
§

BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

**CLARIFICATION TO STATEMENT OF INTENT TO CHANGE RATES FOR
WHOLESALE TRANSMISSION SERVICE**

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW Brazos Electric Power Cooperative, Inc. ("**Brazos Electric**") and files this its Clarification to Statement of Intent to Change Rates For Wholesale Transmission Service, and would respectfully show the following:

1. It was contemplated that the original Statement of Intent to Change Rates for Wholesale Transmission Service filed in Docket No. 25960 would be filed on May 24, 2002. Due to extremely heavy holiday traffic, it was impossible to complete the filing before 5:00 p.m. Instead, the filing was made on the next business day, May 28, 2002.

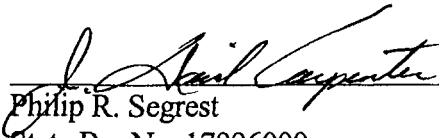
2. By virtue of the delay in filing, the correct calculation of the requested effective date is July 2, 2002 in Paragraph 8 to such Statement of Intent and the accompanying Wholesale Transmission Service Tariff.

3. For purposes of intervention, the correct filing date for the Statement of Intent to Change Rates for Wholesale Transmission Service filed by Brazos Electric is May 28, 2002, for purposes of calculating the intervention deadline (normally 45 days after the date the application is filed, which is July 12, 2002, or such other date as the Commission may prescribe).

4. Brazos Electric has this date served notice of this Clarification to the Statement of Intent to Change Rates for Wholesale Transmission Service by serving a copy of this statement to the persons listed on the Exhibit "A" attached to the original filing.

Respectfully submitted,

SEGREST & SEGREST, P. C.


Philip R. Segrest
State Bar No. 17996000
J. David Carpenter, Of Counsel
State Bar No. 03845800

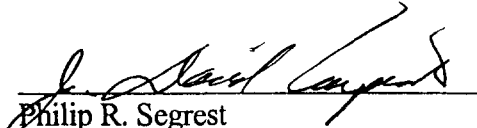
28015 West Highway 84
McGregor, Texas 76657
(254) 848-2600
(254) 848-2700 (Fax)

Phillip A. Holder, Of Counsel
State Bar No. 09833400
Sullivan & Worcester, LLP
P. O. Box 5024
Austin, Texas 78763-5024
(512) 453-3864
(512) 374-9438 (Fax)

Attorneys for
**BRAZOS ELECTRIC POWER COOPERATIVE,
INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Clarification to Statement of Intent to Change Rates for Wholesale Transmission Service was mailed by United States mail, postage prepaid, or delivered via Facsimile, Federal Express, or hand delivery, on the 30th day of May, 2002, to all parties listed on **Exhibit "A"** to the original Statement of Intent to Change Rates for Wholesale Transmission Service.


Philip R. Segrest
J. David Carpenter