



Control Number: 33310



Item Number: 65

Addendum StartPage: 0

SOAH DOCKET NO. 473-07-0833

PUC DOCKET NO. 33309

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APPLICATION OF AEP TEXAS

§ BEFORE THE STATE OFFICE  
§ PUBLIC UTILITY COMMISSION  
§ FILING CLERK

CENTRAL COMPANY FOR

§ OF

AUTHORITY TO CHANGE RATES

§ ADMINISTRATIVE HEARINGS

SOAH DOCKET NO. 473-07-0851

PUC DOCKET NO. 33310

APPLICATION OF AEP TEXAS

§ BEFORE THE STATE OFFICE

NORTH COMPANY FOR

§ OF

AUTHORITY TO CHANGE RATES

§ ADMINISTRATIVE HEARINGS

**ORDER NO. 4  
DOCUMENTING JOINT PREHEARING CONFERENCE**

**I. Introduction**

A joint prehearing conference was held in these cases on December 6, 2006. The following parties appeared at the prehearing conference:

| Party  | Representative                       |
|--|--------------------------------------|
| AEP Texas Central Company (TCC)<br>AEP Texas North Company (TNC) | Philip Ricketts and John Williams    |
| Commission Staff   | Jeffrey Pender                       |
| Office of Public Utility Counsel (OPUC)                          | Sara J. Ferris                       |
| Texas Industrial Energy Consumers (TIEC)                         | Rex VanMiddlesworth and Caren Pinzur |
| Sharyland Utilities, L.P.  | James Guy                            |
| Occidental Power Marketing                                       | James Guy                            |

|  |                             |
|--|-----------------------------|
| Alliance for Retail Markets (ARM)  | Stephen J. Davis            |
| City of Garland  | Lambeth Townsend            |
| Cities of Alice, Asherton, Bay City, Bayview, Beeville, Big Wells, Carrizo Springs, Charlotte, Corpus Christi, Devine, Dilley, Donna, Eagle Pass, El Campo, Edna, Ganado, George West, Goliad, Harlingen, Ingleside, Ingleside on the Bay, Kingsville, La Feria, Laguna Vista, Los Fresnos, Lyford, Mathis, McAllen, Mercedes, Mission, Orange Grove, Palm Valley, Pharr, Pleasanton, Point Comfort, Port Aransas, Port Isabel, Portland, Port Lavaca, Poteet, Primera, Rancho Viejo, Refugio, Rio Grande City, Rockport, Sabinal San Benito, San Juan, Santa Rosa, Sinton, South Padre Island, Taft Uvalde, Victoria, Weslaco, and Woodsboro (Central Cities) | Steven Porter               |
| Cities of Abilene, Cisco, and Vernon (North Cities)  | Steven Porter               |
| State of Texas   | Bryan J. Baker, Ami Hodgins |
| Texas Cotton Ginners' Association  | Tony Williams               |
| TXU Energy, Wholesale, and Power Companies   | Marc H. Burns               |

## II. Interventions Granted

Motions to Intervene filed by the following parties were not opposed by the Applicants and are GRANTED:

Alliance for Retail Markets (ARM)

Cities of Alice, Asherton, Bay City, Bayview, Beeville, Big Wells, Carrizo Springs, Charlotte, Corpus Christi, Devine, Dilley, Donna, Eagle Pass, El Campo, Edna, Ganado, George West, Goliad, Harlingen, Ingleside, Ingleside on the Bay, Kingsville, La Feria, Laguna Vista, Los Fresnos, Lyford, Mathis, McAllen, Mercedes, Mission, Orange Grove, Palm Valley, Pharr, Pleasanton, Point Comfort, Port Aransas, Port Isabel, Portland, Port Lavaca, Poteet, Primera, Rancho Viejo, Refugio, Rio Grande City, Rockport, Sabinal San Benito, San Juan, Santa Rosa, Sinton, South Padre Island, Taft Uvalde, Victoria, Weslaco, and Woodsboro (aligned as Central Cities)

City of Garland

Cities of Abilene, Cisco, and Vernon (aligned as North Cities)

Occidental Power Marketing

Office of Public Utility Counsel (OPUC)

Sharyland Utilities, L.P.

South Texas Electrical Cooperative, Inc. (STEC)  
State of Texas  
Texas Cotton Ginners' Association  
Texas Industrial Energy Consumers (TIEC)  
Texas Legal Services Center (TLSC)  
Texas Ratepayers Organization to Save Energy (ROSE)  
Texas State Association of Electrical Workers (IBEW)  
TXU Energy, Wholesale, and Power Companies  
WTU Retail Energy, L.P. (TNC only)

These intervenors shall have the rights of parties as provided by P.U.C. PROC. R. 22.102(b).

### **III. Notice Provided by Applicants**

No party disputed or objected to the notice of these proceedings provided by Applicants. In addition, counsel for Commission Staff stated that Staff had reviewed Applicants' notice and found it adequate. Therefore, the notice of these proceedings provided by Applicants is approved.

### **IV. Protective Order**

No party objected to the Protective Order proposed by Applicants in their filing package, although counsel for State of Texas stated that he had not yet reviewed the proposed order and requested permission to assert objections after he has the opportunity to review it. Therefore, the Protective Order proposed by Applicants is approved subject to objections that may be raised by the State of Texas. The Protective Order will be issued as a separate order.

### **V. Consolidation**

A discussion and decision on consolidating these two cases was deferred until the next prehearing conference to be held December 15, 2006.

**V. Procedural Schedule**

Two certified questions have been submitted to the Commission that will have an impact on the procedural schedule for these cases. The Commission will consider the certified questions at the Open Meeting scheduled for December 14, 2006. Therefore, the procedural schedule will be discussed at the prehearing conference to be held December 15, 2006.

**SIGNED December 8, 2006.**



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**THOMAS H. WALSTON**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**



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**TRAVIS VICKERY**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**