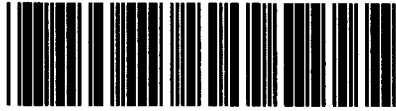




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Addendum StartPage: 0

SOAH DOCKET NO. 473-10-1962  
PUC DOCKET NO. 37744

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PUBLIC UTILITY COMMISSION  
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APPLICATION OF ENTERGY TEXAS, § BEFORE THE PUBLIC UTILITY  
INC., FOR AUTHORITY TO CHANGE § COMMISSION OF TEXAS  
RATES AND RECONCILE FUEL §  
COSTS §

**STATE AGENCIES' FIRST SET OF REQUESTS FOR ADMISSIONS  
TO ENTERGY TEXAS, INC.**

State Agencies and Institutions of Higher Education ("State Agencies") request Entergy Texas, Inc. ("ETI" or "the Company") to admit or deny the following statements under oath. A sponsoring witness must be furnished for each such admission or denial.

**Definitions**

- As used in this introduction and in these admissions,
- (1) "ETI" or "the Company" refers to Entergy Texas, Inc. as well as its predecessors in interest.
  - (2) "You," "yours," "your," and "Company's" refer collectively to ETI, including its directors, officers, employees, consultants, agents and, unless privileged, their attorneys;
  - (3) "Application" refers to the Application and supporting testimony, schedules and other documents submitted by ETI and docketed as PUC Docket No. 37744;
  - (4) "Document" and "documents" mean any written, recorded, filmed, or graphic matter, whether produced, reproduced, or on paper, cards, tapes, film, electronic facsimile, electronic mail (e-mail), computer storage device or any other media, including, but not limited to memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, diaries, drafts, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports and summaries of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form:
  - (5) "Commission" and "PUC" means the Public Utility Commission of Texas;
  - (6) "Staff" means the professional staff of the PUC.

### Instructions

In answering these questions, furnish all information that is available to you, including information in the possession of your agents, employees, and representatives, all others from whom you may obtain it, and your attorneys and their investigators.

Please answer each request for admission based upon your knowledge, information, or belief, and any answer that is based upon information or belief should state that it is given on that basis. If you cannot admit the statement, please explain why you cannot, and fully explain any denial.

### Questions and Responses

The Definitions, Instructions, and Claim of Privilege set out in this Request for Information apply to these questions. If any request appears confusing, please request clarification from the undersigned counsel.

In providing your responses, please start each response on a separate page and identify, at the top of each page, the question being answered. As part of the response to each question, please state at the bottom of the answer the name and job position of each person who participated in any way, other than providing clerical assistance, in preparing the answer. If the question has sub-parts, please identify the person or persons who answered each sub-part. **Please also state the name of the witness in this docket who will sponsor the answer to the question and who can vouch for the truth of the answer. Failure to designate such a sponsoring witness will be considered a non-response.**

Rather than waiting to provide all of the responses at the same time, please provide individual responses as each becomes available. These requests are continuing in nature. If there is a change in circumstances or facts or if you receive or generate additional information that changes your answer between the time of your original response and the time of the hearing, then you should submit, under oath, a supplemental response to your earlier answer as soon as the change in circumstances or facts are known to you.

If you consider any request to be unduly burdensome, please contact the undersigned counsel as soon as possible to discuss the situation and to try to resolve the problem. Likewise, if you object to any of the questions on the grounds that the question seeks proprietary information, or on any other grounds, please contact the undersigned counsel as soon as possible.

## **FIRST REQUESTS FOR ADMISSIONS**

**Please answer the following Requests for Admissions. If you cannot admit or deny the request, please explain the reasons that you cannot admit or deny the request.**

RFA 1-1: Admit or deny that the Formula Rate Plan used by Entergy Mississippi is authorized by Mississippi statute.

RFA 1-2: Admit or deny that Entergy Mississippi Inc., in 2009, requested that the limit on the amount of any annual increase be removed from its Formula Rate Plan.

RFA 1-3: Admit or deny that the proposed Cost of Service Adjustment tariff, if approved by the PUC, will reduce investor risk.

RFA 1-4: Admit or deny that the Company has made no inquiry to determine any procedures that cities may have in place for exercising their original jurisdiction over rate setting.

RFA 1-5: Admit or deny that an annual filing under the proposed COSA is a "ratemaking proceeding" as defined in the Public Utility Regulatory Act §11.003(17).

RFA 1-6: Admit or deny that an extraordinary adjustment under the proposed COSA Paragraph III (A) is a "ratemaking proceeding" as defined in the Public Utility Regulatory Act §11.003(17).

RFA 1-7: Admit or deny that the procedures set forth in the proposed COSA, Paragraph II B (2), are inconsistent with the Procedural Rules of the Public Utility Commission applicable to rate case proceedings. If you cannot admit this request, please identify those Procedural Rules that the Company believes would apply to the annual COSA filing.

RFA 1-8: Admit or deny that the procedures set forth in the proposed COSA, Paragraph II B (3), are inconsistent with the Procedural Rules of the Public Utility Commission applicable to rate case proceedings. If you cannot admit this request, please identify those Procedural Rules that the Company believes would apply to the annual COSA filing.

RFA 1-9: Admit or deny that adoption of the procedures under the proposed COSA tariff will constitute rulemaking by the Public Utility Commission.

Respectfully submitted,

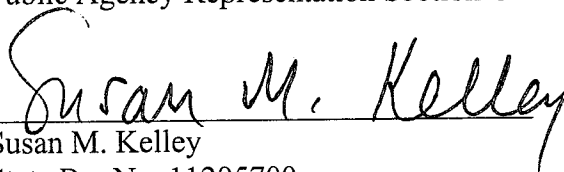
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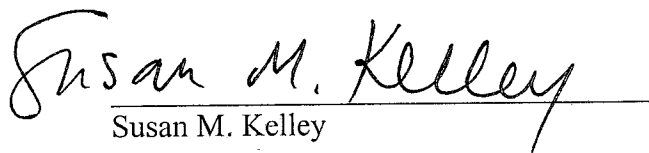
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of **State Agencies' First Requests For Admissions to Entergy Texas, Inc.** has been served upon Entergy Texas, Inc., and all parties of record in Docket No. 37744 by hand delivery, facsimile, or email, and/or First Class U.S. Mail on or before May 26, 2010.

  
Susan M. Kelley

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