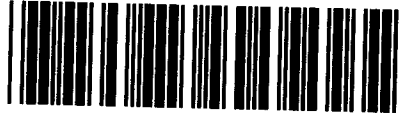




Control Number: 38275



Item Number: 29

Addendum StartPage: 0

**SOAH DOCKET NO. 473-11-1920  
PUC DOCKET NO. 38275**

<b>FILING OF LUMINANT GENERATION COMPANY LLC TO ESTABLISH DATE TO TRANSFER ELECTRIC SERVICE IN COMPLIANCE WITH DOCKET NO. 30037</b>	§ § § § §	<b>BEFORE THE STATE OFFICE  OF  ADMINISTRATIVE HEARINGS</b>
---	-----------------------	---

**SOAH ORDER NO. 1  
NOTICE OF PREHEARING CONFERENCE**

**I. PREHEARING CONFERENCE**

Luminant Generation Company LLC has made a compliance filing in accordance with the Order on Rehearing in PUC Docket No. 30037. On December 21, 2010, the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if necessary. SOAH has jurisdiction over all matters related to conducting a hearing in this docket pursuant to TEX GOV'T CODE ANN. § 2003.049.

The order of referral indicates that the Commission may adopt a preliminary order informing SOAH of the list of issues to be addressed in a contested case hearing in this docket, following its open meeting scheduled to convene on February 3, 2011. Therefore, the ALJ finds it appropriate to schedule the initial prehearing conference in this case to occur after that date. Accordingly, pursuant to P.U.C. PROC. R. 22.121, the undersigned ALJ will convene a prehearing conference at **10:00 a.m. on Friday, February 11, 2011**, at the SOAH hearing rooms located at the William P. Clements Office Building, Fourth Floor, 300 West 15<sup>th</sup> Street, Austin, Texas.


At the prehearing conference, the parties shall be prepared to discuss the procedural status of this case, pending motions, any orders issued by the Commission's Advising and Docket Management Division, and any matters listed in P.U.C. PROC. R. 22.121. If any party requests a continuance of the prehearing conference, they are to confer with the other parties to this case and determine at least two agreeable dates and times on which to reschedule the prehearing conference.

Under P.U.C. PROC. R. 22.74(b), service on a party by mail is complete upon deposit of the document, enclosed in a wrapper properly addressed, stamped, and sealed, in a post office or official depository of the United States Postal Service. Service on a party by agent or by courier receipted delivery shall be complete upon delivery to the agent or courier. Service on a party by facsimile transmission shall be complete upon actual receipt by the recipient's telecopier or facsimile transfer machine. Under P.U.C. PROC. R. 22.74(c), a return receipt or affidavit of any person having personal knowledge of the facts shall be prima facie evidence of the facts shown thereon relating to service.

### III. MOTIONS

Motions for continuance shall be governed by the requirement of P.U.C. PROC. R. 22.79. If a continuance or extension of a deadline is sought, the motion shall propose a new date or dates and shall indicate whether the other parties agree to the new date or dates. Because the ALJ and/or hearing room may not be available on a given day, a proposed range of dates would be preferable. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, a contested motion for continuance, cancellation, or extension is not granted and the existing schedule remains in place. Unless otherwise specified, responses to any motion or other pleading shall be filed within five working days from receipt of the pleading to which the response is made. Failure to file a timely response will be considered acquiescence to the relief requested. Any matters not addressed by this order shall be governed by the procedural rules of the Commission.

SIGNED January 5, 2011.

  
WENDY K.L. HARVEL  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS