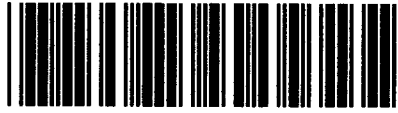




Control Number: 39068



Item Number: 27

Addendum StartPage: 0

DOCKET NO. 38779

REMAND OF DOCKET NO. 22055 § PUBLIC UTILITY COMMISSION
(PROCEEDING TO MODIFY ERCOT §
TRANSMISSION RATES FOR 2000 § OF TEXAS
PURSUANT TO SUBST. RULE 25.192) §

ORDER NO. 13

DOCKET NO. 39066

CLAIMS FOR SEPTEMBER- § PUBLIC UTILITY COMMISSION
DECEMBER 1999 PERIOD SEVERED § OF TEXAS
FROM DOCKET NO. 38780 (REMAND §
OF DOCKET NO. 20381, PROCEEDING §
TO MODIFY ERCOT TRANSMISSION §
RATES FOR 1999 PURSUANT TO §
SUBST. R. 23.67) §

11-23-07 PM 2:23
RECEIVED

ORDER NO. 5

DOCKET NO. 39068

APPLICATION OF CPS ENERGY FOR § PUBLIC UTILITY COMMISSION
ADJUSTMENT OF RATES TO COLLECT § OF TEXAS
INCREMENTAL WHOLESALE §
TRANSMISSION COST REVENUE FOR §
THE LAST FOUR MONTHS OF 1999 AND §
FOR 2000 §

ORDER NO. 7
SUMMARIZING PREHEARING CONFERENCE AND
ADOPTING PROCEDURAL SCHEDULE

On February 28, 2011, a joint prehearing conference was held in the above-referenced dockets. The following parties were represented: CPS Energy, AEP Texas Central Company and AEP Texas North Company, City of Austin d/b/a Austin Energy, Texas-New Mexico Power Company, CenterPoint Energy, Lower Colorado River Authority, City of Garland, et al., Brazos Electric Power Cooperative, Brazos Power Marketing, City of Bryan, et al., Cherokee County Electric Cooperative, et al., Rio Grande Electric Cooperative, Inc., South Texas Electric

Cooperative, San Miguel Electric Cooperative, Inc., Oncor Electric Delivery Company, LLC, Floresville Electric Light and Power System, and Commission Staff.

The parties presented procedural schedules for filing motions for summary disposition in Docket No. 39066, and for motions to dismiss in Docket No. 39068. The following procedural schedule is adopted as proposed for Docket Nos. 39066 and 39068:

Docket No. 39066 – Transition Mechanism Action	
Motion for summary disposition	April 22, 2011
Response to motion for summary disposition	May 20, 2011
Replies to responses	June 3, 2011

Docket No. 39068 – San Antonio Rate Relief	
Motions to Dismiss	April 7, 2011
Response to motions to dismiss	May 5, 2011
Replies to responses	May 20, 2011

The City of Garland requested that the Commission impose a requirement that each party file a pleading stating its claim for relief regarding the transition mechanism. CPS Energy opposed the request, stating that the filings made pursuant to the agreed schedule will reveal their claim or position regarding the transition mechanism.

The agreed schedule provides a generous amount of time before the first filing is due, so adding another deadline should not place an undue burden on any party. The Administrative Law Judge (ALJ) believes that Garland's request is reasonable and having the parties identify their claims prior to the start of the timelines listed above will allow for more efficient processing of these dockets. Rather than setting a deadline now, the parties will have until **March 15, 2011**

Docket No. 38779
Docket No. 39066
Docket No. 39068

Order No. 13
Order No. 5
Order No. 7

Page 3
Page 3
Page 3

to come up with an agreed deadline to make a filing regarding the transition mechanism. If the parties cannot agree on a deadline by that date, the ALJ will impose one.

SIGNED AT AUSTIN, TEXAS the 7th day of March 2011.

PUBLIC UTILITY COMMISSION OF TEXAS



IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT