



Control Number: 39366



Item Number: 18

Addendum StartPage: 0

**SOAH DOCKET NO. 473-11-5074  
PUC DOCKET NO. 39366**

<b>APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS</b>	§ § § § § § § §	<b>BEFORE THE STATE  OFFICE OF ADMINISTRATIVE HEARINGS</b>
--	--------------------------------------	--

FILED  
11 JUN -3 PM 1:44  
PUC CLERK

**ENTERGY TEXAS, INC.'S PROOF OF NOTICE**

Entergy Texas, Inc. ("ETI" or "the Company") hereby submits proof that it provided sufficient notice of the filing of its Application in accordance with P.U.C. PROC. R. 22.55 and Order No. 2 in this proceeding, issued on May 18, 2011.

ETI filed its Application in this proceeding with the Commission on April 29, 2011. ETI provided notice of its Application by one-time publication in newspapers of general circulation in the counties comprising ETI's Texas service territory, as well as to all parties participating in ETI's most recent Energy Efficiency Cost Recovery Factor ("EECRF") proceeding (Docket No. 38212). Publication of notice was completed on May 12, 2011.

Attached are publishers' affidavits and related material that demonstrate that notice of this proceeding was published by one-time publication in newspapers having general circulation in each county within ETI's Texas service territory. Appendix A contains the Notice of Application of Entergy Texas, Inc. for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps. Appendix B contains a summary listing of the publications in which notice was provided. Appendix C contains the publishers' affidavits and copies of the published notices. The Certificate of Service included in ETI's Application substantiates that parties to the Company's most recent EECRF case were also served with a copy of the Application.

Based on the foregoing, ETI requests that its Proof of Notice be approved and found sufficient and requests any other relief to which it may be entitled.

Respectfully submitted,

Paula Cyr  
ENTERGY SERVICES, INC.  
919 Congress Avenue, Suite 701  
Austin, Texas 78701  
(512) 487-3957 telephone  
(512) 487-3958 facsimile

Bret J. Slocum  
Evan D. Johnson  
DUGGINS WREN MANN & ROMERO, LLP  
P.O. Box 1149  
Austin, Texas 78767  
(512) 744-9300 telephone  
(512) 531-7200 facsimile

By: Paula Cyr  
Paula Cyr  
State Bar No. 16385200 *by permission 1/14/2011*

**ATTORNEYS FOR  
ENTERGY TEXAS, INC.**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on all parties of record in Docket No. 39366 on June 3, 2011 by hand-delivery, first class mail, or overnight delivery.

Steven H. Neirast  
Paula Cyr Steven H. Neirast

**APPENDIX A**

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR  
AUTHORITY TO REDETERMINE RATES FOR THE ENERGY  
EFFICIENCY COST RECOVERY FACTOR TARIFF AND  
REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY  
GOAL AND COST CAPS**

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO  
REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY  
FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY  
EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased

---

<sup>1</sup> P.U.C. SUBST. R. 25.181(e)(1)(B).

4

energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual

Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

<u>Customer Class</u>	<u>EECRF</u>
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;

6

- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

<u>Customer Class</u>	<u>EECRF</u>
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh



Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

**APPENDIX B**

**SUMMARY LISTING  
OF PUBLICATIONS  
IN WHICH NOTICE  
WAS PROVIDED**

<u>DATES OF PUBLICATION</u>	<u>NEWSPAPER</u>	<u>PRIMARY COUNTY OF CIRCULATION</u>	<u>OTHER COUNTIES OF CIRCULATION</u>
05-06-11	<i>The Bryan College Station Eagle</i>	Brazos	Grimes, Robertson, Milam, Leon, Lee, Burleson, Madison
05-05-11	<i>Burleson County Tribune</i>	Burleson	
05-04-11	<i>Progress</i>	Chambers	
05-05-11	<i>Hometown Press</i>	Chambers	Galveston, Jefferson
05-11-11	<i>Marlin Democrat</i>	Falls	
05-06-11	<i>Galveston County Daily News</i>	Galveston	
05-04-11	<i>Navasota Examiner</i>	Grimes	
05-04-11	<i>Silsbee Bee</i>	Hardin	
05-06-11	<i>Houston Chronicle</i>	Harris	Waller, Galveston, Montgomery, Brazoria, Liberty, Wharton, Walker, Austin, Chambers, Colorado, Ft. Bend, Matagorda, San Jacinto, Trinity, Washington, Jackson, Grimes, Polk
05-11-11	<i>Jasper Newsboy</i>	Jasper	Newton, Tyler, Sabine
05-11-11	<i>Kirbyville Banner</i>	Jasper	Hardin, Tyler, Newton
05-06-11	<i>Beaumont Enterprise</i>	Jefferson	Angelina, Galveston, Hardin, Jasper, Liberty, Newton, Orange, Sabine, San Augustine, Tyler, Chambers
05-06-11	<i>Port Arthur News</i>	Jefferson	
05-04-11	<i>Normangee Star</i>	Leon	Madison

<u>DATES OF PUBLICATION</u>	<u>NEWSPAPER</u>	<u>PRIMARY COUNTY OF CIRCULATION</u>	<u>OTHER COUNTIES OF CIRCULATION</u>
05-11-11	<i>Cleveland Advocate</i>	Liberty	Montgomery, Harris
05-05-11	<i>Liberty Vindicator</i>	Liberty	
05-11-11	<i>The Humble Observer</i>	Liberty	Montgomery, Harris
05-06-11	<i>Conroe Courier</i>	Liberty	Montgomery, Harris
05-11-11	<i>East Montgomery County Courier</i>	Montgomery	Liberty, Harris
05-12-11	<i>Groesbeck Journal</i>	Limestone	
05-04-11	<i>Madisonville Meteor</i>	Madison	
05-05-11	<i>Cameron Herald</i>	Milam	
05-12-11	<i>Woodlands Villager</i>	Montgomery	Liberty, Harris
05-06-11	<i>Conroe Courier</i>	Montgomery	
05-04-11	<i>Montgomery County News</i>	Montgomery	
05-11-11	<i>Newton County News</i>	Newton	
05-11-11	<i>Penny/County Record Newspapers</i>	Orange	
05-06-11	<i>Orange Leader</i>	Orange	
05-05-11	<i>Polk County Enterprise</i>	Polk	
05-05-11	<i>Corrigan Times</i>	Polk	
05-06-11	<i>Bremond Press</i>	Robertson	Brazos, Falls, Limestone,
05-11-11	<i>Robertson Co. News</i>	Robertson	

<u>DATES OF PUBLICATION</u>	<u>NEWSPAPER</u>	<u>PRIMARY COUNTY OF CIRCULATION</u>	<u>OTHER COUNTIES OF CIRCULATION</u>
05-05-11	<i>San Jacinto News Times</i>	San Jacinto	
05-05-11	<i>Groveton News</i>	Trinity	
05-05-11	<i>Trinity Standard</i>	Trinity	
05-12-11	<i>Tyler County Booster</i>	Tyler	
05-11-11	<i>The Huntsville Item</i>	Walker	Grimes, Trinity
05-06-11	<i>Brenham Banner Press</i>	Washington	Austin, Fayette, Grimes, Lee Burleson, Colorado

**APPENDIX C**  
**PUBLISHERS' AFFIDAVITS**  
**AND**  
**COPIES OF**  
**PUBLISHED NOTICES**

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Brewer  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Marilyn Green WHO BEING BY ME DULY  
Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

The Eagle, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Brewer COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN Brewer, Borden,  
Thomas, Lee, Leon, Madison, Milam, Robertson  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: May 6, 2011  
(Insert Date(s))

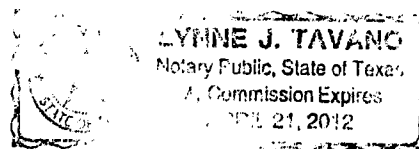
Marilyn Green  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 6<sup>th</sup> DAY OF

May 2011 TO CERTIFY WHICH WITNESS MY HAND  
AND SEAL OF OFFICE.

Lynne J. Tavano  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LYNNE J. TAVANO  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 4/24/12



(Affix Notary Seal Above)

124

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO  
REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY  
FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY  
EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("P.U.C.") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>(1)</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

(1) P.U.C. SUBST. R. 25.181 (e)(1)(B)

5-6-11

15



# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Burleson  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Sam Preuss WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Burleson County Tribune THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Burleson COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN \_\_\_\_\_  
Burleson  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

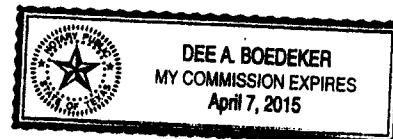
DAYS: May 5, 2011  
(Insert Date(s))

[Signature]  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 9th DAY OF  
May 2011 TO CERTIFY WHICH WITNESS MY HAND  
AND SEAL OF OFFICE.

Dee A Boedeker  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Dee A. Boedeker  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES April 7, 2015



(Affix Notary Seal Above)

## **NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTH COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABI**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUCT") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;

- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

<u>Customer Class</u>	<u>EECRF</u>
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
<hr/>	
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

<u>Customer Class</u>	<u>EECRF</u>
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. SUBST. R. 25.181(e)(1)(B).

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Chambers  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Millicent Keyes WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

The Progress, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN CHAMBERS COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN \_\_\_\_\_

CHAMBERS COUNTY  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS

HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: May 4, 2011  
(Insert Date(s))

Millicent A Keyes  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

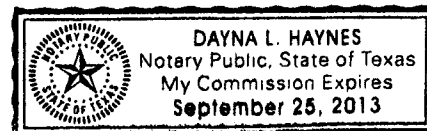
SWORN AND SUBSCRIBED TO ME ON THIS THE 5 DAY OF

May, 2011 TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE.

Dayna L Haynes  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Dayna L. Haynes  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 9-25-2013



(Affix Notary Seal Above)

20

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES  
FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST  
TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers. In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for nonresidential customers. Because Entergy Texas cannot comply with the now increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service	\$0.000140 per kWh
(excluding Industrial Transmission Customers)	
Large Industrial Power Service	\$0.000235 per kWh
(Industrial Transmission Customers Only)	
Lighting	\$0.001469 per kWh

21

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(a)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 an average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. SUBST. R. 25.181(a)(1)(B).

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Chambers  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY  
APPEARED Scott Reese Willey WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE  
The Hometown Press, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Chambers COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN Chambers,  
Jefferson, Galveston  
(Insert ALL Counties of General Distribution)

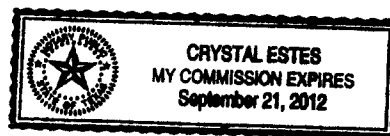
COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING  
DAYS: 5-5-11  
(Insert Date(s))

Scott Reese Willey  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 5 DAY OF  
May, 2011 TO CERTIFY WHICH WITNESS MY HAND  
AND SEAL OF OFFICE.

Crystal Estes  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Crystal Estes  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 9-21-12



(Affix Notary Seal Above)



## LEGAL NOTICE

### NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUCT") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs.

This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011

programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

24

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then

<u>Customer Class</u>	<u>EECRF</u>
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

1 P.U.C. SUBST. R. 25.181(e)(1)(B).

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Falls Co  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Lori A. Blam WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Martin Democrat, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Falls Co. COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN \_\_\_\_\_  
Falls Co.  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: May 11, 2011  
(Insert Date(s))

[Signature]  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

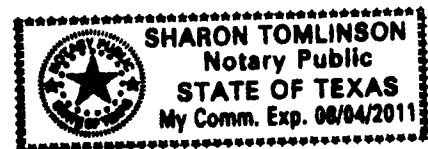
SWORN AND SUBSCRIBED TO ME ON THIS THE 16 DAY OF

May, 2011 TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE.

[Signature]  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SHARON TOMLINSON  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 08-04-2011



(Affix Notary Seal Above)

26

## NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(d), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. SUBST. R. 25.181(e)(1)(B).

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF

Galveston  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED

Sandra Villamil  
(Insert Publisher's Name/Publisher's Representative)

WHO BEING BY ME DULY

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Galveston County Daily News  
(Insert Newspaper's Name)

, THAT SAID NEWSPAPER IS

REGULARLY PUBLISHED IN

Galveston

COUNTY

(Insert County/Countries Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN

Galveston

(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS

HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS:

May 6, 2011

(Insert Date(s))

Sandra Villamil  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 9th DAY OF

May, 2011

TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE.

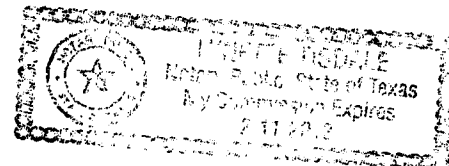
Lynette Tisdale  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Lynette Tisdale

PRINT OR TYPE NAME OF NOTARY PUBLIC

MY COMMISSION EXPIRES

2-11-12



(Affix Notary Seal Above)

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO  
REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR  
TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND  
COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUCT") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. Subst. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

<u>Customer Class</u>	<u>EECRF</u>
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. Subst. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

25

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

<u>Customer Class</u>	<u>EECRF</u>
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. SUBST. R. 25.181(e)(1)(B).

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF El Paso  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Scott McDonald WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

El Paso Herald-Examiner, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN El Paso COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN \_\_\_\_\_

El Paso  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

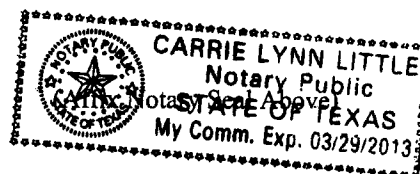
DAYS: Monday, 10/1/10  
(Insert Date(s))

Scott McDonald  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 5th DAY OF  
January 2011 TO CERTIFY WHICH WITNESS MY HAND  
AND SEAL OF OFFICE.

Carrie Lynn Little  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Carrie Lynn Little  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES March 29, 2013



31



**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(b), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(a)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. SUBST. R. 25.181(a)(1)(B).

32

# PUBLISHER'S AFFIDAVIT.

STATE OF TEXAS

COUNTY OF ARDIN  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED DANNY REVEAU WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Shree Bee THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN ARDIN County COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN

ARDIN County  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS

HERE TO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: MAY 4, 2011  
(Insert Date(s))

Danny Reveau  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

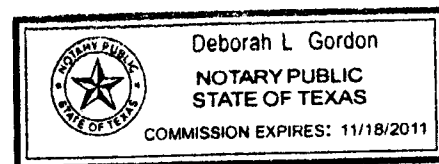
SWORN AND SUBSCRIBED TO ME ON THIS THE 6th DAY OF

MAY 2011 TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE.

Deborah L. Gordon  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

DEBORAH L. GORDON  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 11-18-2011



(Affix Notary Seal Above)

## Legal Notices

### NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. Subst. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

<u>Customer Class</u>	<u>EECRF</u>
Residential Service .....	\$0.000871 per kWh
Small General Service .....	\$0.001044 per kWh
General Service .....	\$0.000842 per kWh
Large General Service .....	\$0.000409 per kWh
Large Industrial Power Service .....	\$0.000140 per kWh
(excluding Industrial Transmission Customers)	
Large Industrial Power Service .....	\$0.000055 per kWh
(Industrial Transmission Customers Only)	
Lighting.....	\$0.001469 per kWh

34

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. Subst. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. Subst. R. 25.181(e)(1)(B).

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF HARRIS

(Insert County)

Appendix C  
Page 23 of 105

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED PAT TACKETT WHO BEING BY ME DULY  
Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

HOUSTON CHRONICLE, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN HARRIS COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, MATAGORD  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS

HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: MAY 6, 2011

(Insert Date(s))

ADH24872015 ACCT#032346020

Pat Tackett  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 9 DAY OF

MAY - 2011 TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE.

Veronica M Tyrone  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Veronica M Tyrone  
PRINT OR TYPE NAME OF NOTARY PUBLIC

MY COMMISSION EXPIRES 02-10-12

(Affix Notary Seal Above)

34

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("P.U.C.") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. Subst. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. Subst. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Jasper

(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Jeff Reedy WHO BEING BY ME DULY  
Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Jasper News-Sun, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Jasper COUNTY  
(Insert County/Countries Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN Jasper  
Houston, Tyler, Abilene  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING  
DAYS: May 11, 2011  
(Insert Date(s))

[Signature]  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 11 DAY OF  
May TO CERTIFY WHICH WITNESS MY HAND  
AND SEAL OF OFFICE.

Mary Beth Ciera  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Mary Beth Ciera  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 4-29-2011

(Affix Notary Seal Above)

7B

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO  
REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY  
FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY  
EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers. In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. SUBST. R. 25.181(e)(1)(B).

39



# PUBLISHER'S AFFIDAVIT

Appendix C  
Page 27 of 105

~~STATE OF TEXAS~~

COUNTY OF Jasper  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED LaCole Davis WHO BEING BY ME DULY  
Insert Publisher's Name/Publisher's Representative)

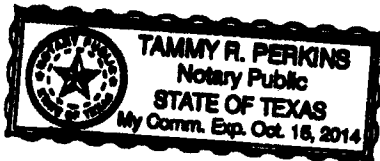
SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE  
Kirbyville Banner, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Jasper COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN Jasper, Newton,  
Hardin and Tyler  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: Wednesday May 11, 2011  
(Insert Date(s))



LaCole Davis  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 13<sup>th</sup> DAY OF  
May 2011 TO CERTIFY WHICH WITNESS MY HAND  
AND SEAL OF OFFICE.

Tammy Perkins  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

TAMMY PERKINS  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES OCT 16, 2014 40

(Affix Notary Seal Above)

## Classifieds • 423-2696

**Where everybody LOOKS!**

To place ad call or come by the office located at  
104 N. Kellie in Kirbyville.

**All Classifieds Require Prepayment!**

First insertion \$4.00 minimum, 20¢ per word over 15 words;  
Second insertion, \$3.50 minimum, 20¢ per word over 15 words.

**SUMMER PLANO LESSONS** in my home starting June 20, 16 miles north Kirbyville. Reasonably priced! Experienced church pianist with references. Call 397-4847.

**LAWN SERVICE** - Mowing, Weed Eating and Yard Work. Please call (409) 745-0146.

**GARAGE SALE**  
KIRBYVILLE, Friday and Saturday, May 13 and 14, 8 a.m. - 5 p.m. FM 82 West (Airport Road), two miles from Hwy. 96 on corner of 82 West and CR 400. Big sale!

KIRBYVILLE, Friday, May 13, 8 a.m. - 5 p.m. and Saturday, May 14, 7 a.m. - 3 p.m. 1/2 mile down FM 82 West (Airport Road).

KIRBYVILLE, Friday, May 13, 8 a.m. - 11 a.m. Take East Main and go over RR tracks, stay left and go over bridge, stay left on fork, CR 695. Follow signs. 423-6362. Huge sale - lots of goodies!

KIRBYVILLE, Saturday, May 14. Approximately 5 1/2 miles south on Hwy. 96, turn on County Road 901A (2nd road past Lucy H Smokehouse), 7 a.m. - 2 p.m. Clothes, home decor, company copy/fax machine, baby crib bedding with matching lamp, beanie babies, much more.

KIRBYVILLE, Thursday, Friday and Saturday, 808 West Main. 8 a.m. - 5 p.m. Two families! Lots of everything.

KIRBYVILLE, Friday and Saturday, 8 a.m. - 5 p.m. 6984 FM 1013 West - six miles toward Spurges, 594-0308. 100's of kids books, clothes of all sizes, Gone With The Wind collection, amplifier, speakers, household items, much more.

KIRBYVILLE, Thursday and Friday, 7 a.m. - 11:30 a.m. East Fort Street. Rain or shine. Lots of everything!

KIRBYVILLE, Thursday, May 12, 7 a.m. - 12 noon. 106 East Freddy Street. Porch sale - lots of deco, clothes for teenage girls, whatnots, miscellaneous.

**PINE GROVE COMMUNITY**, Saturday, Sunday and Monday, 7 a.m. - 3 p.m. Hwy. 87 North, next to Pine Grove Baptist Church. Antiques, collectibles, table, old bottles, large pressure cooker. Too much to list!

KIRBYVILLE, May 12, 13 and 14. Four miles north on Hwy. 96, turn left on County Road 490 and go approximately two miles. Four families! Lots of stuff.

**TOMORROW'S TREASURES** inside Pine Cupboard has bracelets, vintage jewelry, hats, purses, wallets, pistol purses, pistol necklaces, rings, flip flops. BIG SALE through May 15 for Mother's Day and Graduation! New arrivals everyday. Don't forget your rhinestone belts for the Jasper Rodeo.

**BOGGY CREEK HUNTING CLUB** is looking for new members. Call (409) 423-2182.

**RECREATIONAL**  
30' FULLY FURNISHED RV FOR RENT! Utilities paid. \$400 deposit and \$450 monthly. Located in Evedale. (409) 278-1883.

**WANTED**  
LOOKING TO RENT OR OWNER FINANCE a home (older or four up) in K.I.S.D. area. Please call (409) 822-9984.

**EMPLOYMENT**  
RAYMOND HEALTH CARE is looking for part-time RN. Starting pay is \$25 an hour. For more information, call Susanne or Michael at (409) 381-8600.

**HELP WANTED:** Nursery worker for Rogersville Baptist Church two nights a week. Requirements: Must be a kind, loving, christian person that loves children and must have CPR certification or be willing to become CPR certified. Contact Debbie Durcan at 499-3581, Candace Robison at 790-4887 or call the Rogersville Baptist Church at 384-2822.

**RENTALS**  
HOUSES AND TRAILERS FOR RENT! Starting at \$350 a month or \$100 weekly, utilities included. No deposit. 423-1900.

FOR RENT: 2 BR mobile home. \$280 monthly, 1/2 months deposit required. (713) 448-0958.

FOR RENT: Trailer space (1/4 acre) in the country. \$110 monthly. Call 423-5773.

**APARTMENTS FOR RENT:** Metro Apartments is taking applications. Senior citizen discounts available. Call 423-6773 and leave a message.

FOR RENT: 2 BR, 1 BA, house with 2-car garage. \$900 monthly plus deposit pending credit application. Call (409) 423-2186 and ask for Donna.

FOR RENT: 2 BR, 1 BA, house. \$400 monthly plus deposit pending credit application. Call (409) 423-2186 and ask for Donna.

## SOUTHEAST TEXAS REALTY

213 E. Main Street • 423-7159 • Kirbyville

www.southeasttexasre.com

Kirbyville - FM 1013 West - 4 BR, 2 BA, on approximately 10 acres. Pond, fruit trees, storage building, etc. 2nd house on property and blacksmith shop.....\$135,000

Kirbyville - Trout Street - 3 BR, 1 1/2 BA, brick with fireplace and formal dining on lot in city. Owner will consider financing.....\$69,900

Beau - Cougar Drive - 4 lots just off Hwy. 96. Great spot for your new home.....\$17,500

Web: www.southeasttexasre.com or stop by our office for a list of current properties

Broker: Barbara Smith - cell 423-9794 • 423-3483  
Agent: Tina Miller - 423-9228  
Agent: Lane Carl - cell 362-6174  
Agent: Patty Kelly - cell 338-9645 • 363-8451  
Agent: Traci Pransky - cell 458-6412 • 423-2845

### Hiring Regional Drivers

in the Houston, TX Region

**300 Weekly Driver Pay Guarantee**

Great Pay & Benefits,  
Assigned Truck,  
Fuel Card, Pre-Pass,  
\*\*\$500 Sign-on Bonus\*\*  
Must have: TWIC Card,  
CDL-A with Hazmat and  
Tanker Endorsement  
18 mo. current TT exp.

**TRANSPORT**  
EEO/DFW/D  
Call 800-764-4034

### NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS

On April 28, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. Stat. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("ECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the ECRF will be affected by approval of the Company's Application.

In Project No. 37823, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new ECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its ECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its ECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, details that the Company's ECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the ECRF will experience a decrease in their ECRF rates. The rates charged under the revised ECRF will decrease the Company's annual Texas retail revenues by approximately \$1,251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised ECRF rates would be as follows:

Customer Class	ECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000842 per kWh
Large General Service	\$0.000408 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. Stat. R. 25.181(f)(2), ETI requests authority to redetermine its ECRF rates to recover approximately \$11,768,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its ECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised ECRF request reflect a \$3,288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2,037 million from the Company's current ECRF. In addition, the Company's alternative ECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised ECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised ECRF rates are as follows:

Customer Class	ECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-636-7128 or 1-866-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-536-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup> P.U.C. Stat. R. 25.181(e)(1)(B).

41

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Jefferson

(Insert County)

Appendix C  
Page 29 of 105

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Monica Mendoza WHO BEING BY ME DULY  
Insert Publisher's Name/Publisher's Representative

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Beaumont Enterprise, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Jefferson COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN Jefferson, Hardin, Tyler, Newton, Orange, Jasper, Liberty, Sabine, Chambers, San Augustine, Angelina, and Galveston  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: May 6, 2011  
Ad # 24215443  
(Insert Date(s))

Monica Mendoza  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 6 DAY OF

May 2011 TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE.

Veronica M Tyrone  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Veronica M Tyrone  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 02-10-12

(Affix Notary Seal Above)

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. Subst. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers. In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

<b>Customer Class</b>	<b>EECRF</b>
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. Subst. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

<sup>1</sup>P.U.C. Subst. R. 25.181(e)(1)(B).

44

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Jefferson  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Tara Ford WHO BEING BY ME DULY  
Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Port Arthur, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Jefferson COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN \_\_\_\_\_

Jefferson  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS

HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: Friday, May 6th, 2011  
(Insert Date(s))

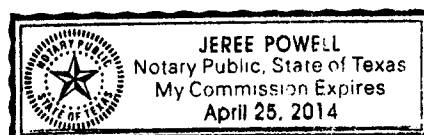
Tara Ford  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 9th DAY OF

May TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE

Jeree Powell  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



Jeree Powell  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 4-25-14

45

(Affix Notary Seal Above)

**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC.  
FOR AUTHORITY TO REDETERMINE RATES FOR THE  
ENERGY EFFICIENCY COST RECOVERY FACTOR  
TARIFF AND REQUEST TO ESTABLISH A REVISED  
ENERGY EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUC") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

<b>Customer Class</b>	<b>EECRF</b>
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000140 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.001469 per kWh

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

<b>Customer Class</b>	<b>EECRF</b>
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service (excluding Industrial Transmission Customers)	-\$0.000115 per kWh
Large Industrial Power Service (Industrial Transmission Customers Only)	\$0.000055 per kWh
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936 7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

P.U.C. SUBST. R. 25.181(e)(1)(B).

46

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Leon  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED Hank Hargrave WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE

Normangee Star, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN Leon COUNTY  
(Insert County/Counties Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN \_\_\_\_\_

Leon, Madison  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS

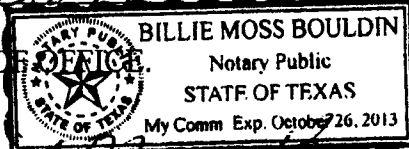
HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: Wednesday, May 4, 2011  
(Insert Date(s))

Hank Hargrave  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 4 DAY OF

May 2011 TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE  


Billie Moss Bouldin  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Billie Moss Bouldin  
PRINT OR TYPE NAME OF NOTARY PUBLIC

MY COMMISSION EXPIRES 10/26/13

(Affix Notary Seal Above)

47



**NOTICE OF APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF AND REQUEST TO ESTABLISH A REVISED ENERGY EFFICIENCY GOAL AND COST CAPS**

On April 29, 2011, Entergy Texas, Inc. ("ETI", "Entergy Texas" or "the Company") filed with the Public Utility Commission of Texas ("PUCT") its Application for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff and Request to Establish a Revised Energy Efficiency Goal and Cost Caps ("Application"), pursuant to Section 39.905 of the Public Utility Regulatory Act ("PURA") and P.U.C. SUBST. R. 25.181(f), relating to recovery of costs for energy efficiency programs. This filing has been assigned Docket No. 39366. In its Application, ETI requested that its revised energy efficiency cost recovery factor ("EECRF") become effective for use beginning with the first billing cycle of its January 2012 billing month, which begins on December 30, 2011. All Texas retail customers that fall within the classes subject to the EECRF will be affected by approval of the Company's Application.

In Project No. 37623, the Commission increased the energy efficiency goal for the 2012 program year from a 20% reduction of the annual growth in demand of an electric utility's residential and commercial customers to a 25% reduction in the annual growth in demand of an electric utility's residential and commercial customers.<sup>1</sup> In that project, the Commission also implemented cost caps limiting the rates electric utilities may charge their customers to \$0.001 per month for residential customers and \$0.0005 per kWh for non-residential customers. Because Entergy Texas cannot comply with the new increased energy efficiency goals without increasing customers' rates to levels that exceed the new EECRF cost caps, the Company has requested that the Commission establish ETI's energy efficiency goal for 2012 at a 20% reduction of annual growth in demand of ETI's residential and commercial customers, which is the same goal ETI is required to meet in 2011, and increase the Commission's cost caps slightly for its Small General Service, General Service, and Lighting rate classes. To achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI will spend the same amount on its 2012 energy efficiency programs that it spent on its 2010 and 2011 programs. Assuming the Commission lowers ETI's energy efficiency goal to a 20% reduction of the annual growth in demand of ETI's residential and commercial customers, ETI requests authority to redetermine its EECRF rates to recover approximately \$8,481,913, which reflects the following three components:

- 1) recovery of \$7,456,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 20% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

Under this request, despite that the Company's EECRF request will exceed the Commission's cost caps for ETI's Small General Service, General Service, and Lighting rate classes, all ETI Texas retail customers that fall within the classes subject to the EECRF will experience a decrease in their EECRF rates. The rates charged under the revised EECRF will decrease the Company's annual Texas retail revenues by approximately \$1.251 million. A residential customer using 1,000 kilowatt-hours ("kWh") of electricity per month would see a decrease of approximately 0.2% annually, or \$0.14 on average per month. The requested revised EECRF rates would be as follows:

Customer Class	EECRF
Residential Service	\$0.000871 per kWh
Small General Service	\$0.001044 per kWh
General Service	\$0.000642 per kWh
Large General Service	\$0.000409 per kWh
Large Industrial Power Service	-\$0.000140 per kWh
(excluding Industrial Transmission Customers)	
Large Industrial Power Service	\$0.000055 per kWh
(Industrial Transmission Customers Only)	\$0.001469 per kWh

**Lighting**

The Company believes this request offers the most benefits to its customers because it maintains funding for valuable energy efficiency programs while reducing rates for its customers.

In the alternative, if the Commission does not establish a lower goal for ETI in 2012 but rather requires ETI to meet the increased goal of a 25% reduction of the annual growth in demand of its residential and commercial customers, then pursuant to P.U.C. SUBST. R. 25.181(e)(2), ETI requests authority to redetermine its EECRF rates to recover approximately \$11,769,913, which reflects the following three components:

- 1) recovery of \$10,744,000 in energy efficiency program costs projected to be incurred in 2012 to achieve a 25% reduction of the annual growth in demand of ETI's residential and commercial customers;
- 2) refund of \$380,360 in energy efficiency program costs recovered under its EECRF implemented for calendar year 2010 that exceeded its actual program costs; and
- 3) recovery of \$1,406,273 representing ETI's 2010 performance bonus for achieving demand savings that exceeded its statutory goal for 2010.

The rates charged under this alternative revised EECRF request reflect a \$3.288 million dollar increase to ETI's projected 2012 energy efficiency program budget over its 2011 energy efficiency program budget, which will in turn increase the Company's annual Texas retail revenues by approximately \$2.037 million from the Company's current EECRF. In addition, the Company's alternative EECRF rates would exceed the Commission's cost caps for all but the Large Industrial Power Service rate classes. Therefore, pursuant to this alternative request, the Company requested that the Commission raise the cost caps for those affected rate classes to be consistent with the rates listed below. Under the Company's alternative revised EECRF rates, a residential customer using 1,000 kWh of electricity per month would see an increase of approximately 0.2% annually, or \$0.23 on average per month. The requested alternative revised EECRF rates are as follows:

Customer Class	EECRF
Residential Service	\$0.001244 per kWh
Small General Service	\$0.001627 per kWh
General Service	\$0.000831 per kWh
Large General Service	\$0.000572 per kWh
Large Industrial Power Service	-\$0.000115 per kWh
(excluding Industrial Transmission Customers)	
Large Industrial Power Service	\$0.000055 per kWh
(Industrial Transmission Customers Only)	
Lighting	\$0.002283 per kWh

Persons with questions or who want more information about this Application may contact Entergy Texas at 350 Pine Street, Beaumont, Texas 77701, or call 1-800-368-3749 (select option 1, then press 0, then press 4) during normal business hours. A complete copy of the Application is available for inspection at the address listed above.

The Commission will review Entergy Texas' Application, establish an intervention date for interested persons, and determine whether Entergy Texas' Application should be approved. The Commission's proceeding to review Entergy Texas' Application has been assigned Docket No. 39366. Persons who wish to intervene in or comment upon these proceedings, or obtain further information, should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the Commission's Office of Consumer Protection at 512-936-7120 or 1-888-782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission at 512-936-7136 or use Relay Texas (toll-free) 1-800-735-2989. All communications should refer to Docket No. 39366.

P.U.C. SUBST. R. 25.181(e)(1)(B).

48

# PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF MONTGOMERY / Liberty / HARRIS  
(Insert County)

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY

APPEARED KARIN COLEMAN WHO BEING BY ME DULY  
(Insert Publisher's Name/Publisher's Representative)

SWORN, DEPOSES AND SAYS THAT HE/SHE IS THE PUBLISHER OF THE  
Cleveland Advocate, Conroe Courier,  
EAST MONTGOMERY COUNTY OBSERVER,  
The Humble Observer, Woodlands Village, THAT SAID NEWSPAPER IS  
(Insert Newspaper's Name)

REGULARLY PUBLISHED IN MONTGOMERY / Liberty / Harris COUNTY  
(Insert County/Countries Name)

(COUNTIES), TEXAS, AND GENERALLY CIRCULATED IN MONTGOMERY /  
Liberty / Harris  
(Insert ALL Counties of General Distribution)

COUNTY (COUNTIES), TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS  
HERE TO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING

DAYS: 5/6/11, 5/11/11, 5/12/11  
(Insert Date(s))

Karin Coleman  
PUBLISHER/PUBLISHER'S REPRESENTATIVE

SWORN AND SUBSCRIBED TO ME ON THIS THE 12 DAY OF

May TO CERTIFY WHICH WITNESS MY HAND

AND SEAL OF OFFICE.

Susan M Curr  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Susan M Curr  
PRINT OR TYPE NAME OF NOTARY PUBLIC  
MY COMMISSION EXPIRES 11/08/2014



(Seal Above)

49