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SOAH DOCKET NO. 473-12-6079  
PUC DOCKET NO. 40358

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PUBLIC UTILITY COMMISSION  
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APPLICATION OF AEP TEXAS NORTH § BEFORE THE STATE OFFICE  
COMPANY TO ADJUST ENERGY §  
EFFICIENCY COST RECOVERY § OF  
FACTOR AND RELATED RELIEF §  
§ ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 1  
CASE DESCRIPTION, PROCEDURAL SCHEDULE,  
RESPONSIVE PLEADING DEADLINE, AND  
GRANTING MOTION TO INTERVENE

I. DESCRIPTION OF CASE

On May 1, 2012, AEP Texas North Company (TNC) filed an application to adjust its energy efficiency cost recovery factor (EECRF) pursuant to P.U.C. SUBST. R. 25.181. On May 2, 2012, the Public Utility Commission of Texas (Commission) referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision (PFD), if such is necessary. The Commission will consider this case at its May 18, 2012 meeting and subsequently issue a preliminary order. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Tex. Gov't Code § 2003.049.

II. SCHEDULE

TNC proposed a schedule in its application, which is adopted:

| Action Deadline          |              |
|--------------------------|--------------|
| Staff Approval of Notice | May 15, 2012 |
| Notice completed         | May 16, 2012 |
| Proof of notice          | May 17, 2012 |
| Intervention deadline    | May 31, 2012 |
| Request for hearing      | May 31, 2012 |

|  |                      |
|--|----------------------|
| <b>If No Hearing Requested</b>                     |                      |
| Staff recommendation                               | June 25, 2012        |
| Parties' proposed order                            | June 27, 2012        |
| <b>If Hearing Requested</b>                        |                      |
| End of discovery on TNC direct                     | June 1, 2012         |
| Deadline for intervenor direct                     | June 5, 2012         |
| Objection to TNC and intervenor direct             | June 8, 2012         |
| Deadline for Staff direct                          | June 8, 2012         |
| End of discovery on intervenor direct              | June 8, 2012         |
| End of discovery on Staff direct                   | June 11, 2012        |
| Replies to objections to TNC and intervenor direct | June 11, 2012        |
| Objections to Staff direct                         | June 11, 2012        |
| Discovery responses on intervenor direct           | June 13, 2012        |
| Deadline for TNC rebuttal and cross-rebuttal       | June 15, 2012        |
| Discovery responses on Staff direct due            | June 18, 2012        |
| <b>Hearing on the merits</b>                       | <b>June 20, 2012</b> |

### III. DISCOVERY

Discovery may begin immediately pursuant to the provisions of Subchapter H of the Commission's Procedural Rules.

### IV. FILING AND SERVICE PROCEDURES; RESPONSIVE PLEADING DEADLINE

All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. The Commission's filing clerk will forward a copy of the pleadings to SOAH. Parties are directed not to send a courtesy copy of any pleadings to the ALJ unless it is emailed as either a pdf file or in Microsoft Word.

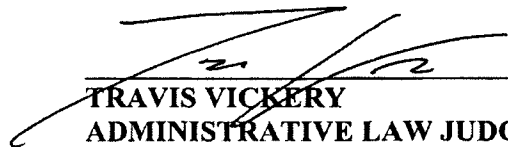
Because this case has a regulatory deadline, unless otherwise specified, responses to any

motion or other pleading shall be filed within **three working days** from receipt of the pleading to which the response is made. Such responsive pleadings shall state the date of receipt of the pleading to which a response is made. Failure to file a timely response will be considered acquiescence to the relief requested.

#### **V. GRANTING MOTION TO INTERVENE**

Steering Committee of Cities Served by TNC (Cities) filed a motion to intervene on May 8, 2012. The ALJ grants the motion. In the event any party timely objects to Cities' motion, the ALJ will reconsider the intervention.

**SIGNED May 10, 2012**

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