



Control Number: 40360



Item Number: 2

Addendum StartPage: 0

(Revised - 06/09/09)	FOR SOAH USE ONLY		<small>(req.frm)</small>
Date complete request received by SOAH:	Proceeding date set by SOAH:	SOAH Docket Number & type of case:	

REQUEST TO DOCKET CASE (Please type or print)

PLEASE CHECK ACTION REQUESTED:**

- SETTING OF HEARING**
 ASSIGNMENT OF ALJ *
 ALTERNATIVE DISPUTE RESOLUTION (ADR)/MEDIATION*

REFERRING AGENCY NAME: PUBLIC UTILITY COMMISSION AGENCY NO.: 473 FILE/CASE NO.: 473-12-6081
AGENCY'S

NAME/STYLE OF THE CASE: APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO REDETERMINE RATES FOR THE ENERGY EFFICIENCY COST RECOVERY FACTOR TARIFF

DATE APPLICATION FILED AT AGENCY: 5/1/12 DOCKET NO. SUFFIX, if applicable: 40360

PROCEEDING DATE(S) REQUESTED (Include range of dates if possible): _____

EXPECTED NUMBER OF HOURS (If less than a day) OR DAYS NEEDED FOR PROCEEDING: _____ HOURS _____ DAYS

- ADMIN. FINE**
 GRIEVANCE
 ENFORCEMENT
 CONTRACT CLAIM (Gov't. Code 2260)
 OTHER _____

SPECIAL NEEDS OR ACCOMMODATIONS: _____

IF ADR REQUESTED PLEASE DESCRIBE PROCESS NEEDED: _____

PREHEARING CONFERENCE REQUESTED INTERPRETER NEEDED(See 1 TAC 155.43(g))

CASE FILE and/or HEARING IS CONFIDENTIAL (Specify applicable statute): _____

NAME OF INDIVIDUAL SENDING REQUEST FORM: _____ PHONE NO.: _____ FAX NO.: _____

PARTIES AND REPRESENTATIVES

PARTY REPRESENTED BY: <input type="checkbox"/> SELF <input type="checkbox"/> ATTORNEY <input type="checkbox"/> OTHER, If so, relationship: REPRESENTATIVE'S NAME: PARTY'S NAME: ADDRESS: PHONE No : (Direct Phone Number Please) Email Address: FAX No.:	PARTY REPRESENTED BY: <input type="checkbox"/> SELF <input type="checkbox"/> ATTORNEY <input type="checkbox"/> OTHER, If so, relationship: REPRESENTATIVE'S NAME: PARTY'S NAME: ADDRESS: PHONE No.: (Direct Phone Number Please) Email Address: FAX No.:
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2012-05-01
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PLEASE LIST ADDITIONAL PARTIES AND/OR REPRESENTATIVES ON EXTRA FORM PROVIDED.

SEND TO: STATE OFFICE OF ADMINISTRATIVE HEARINGS
 ATTN.: Deputy Clerk
 William P. Clements Building
 300 West 15th Street, Suite 504
 Austin, Texas 78701 **OR** Post Office Box 13025
 Austin, Texas 78711-3025
 Docketing Phone No. (512) 475-3445
 Fax No. (512) 475-4994

***PLEASE FORWARD A COPY OF THE APPLICATION, APPEAL, OR COMPLAINT WITH THIS REQUEST FORM, AS WELL AS ANY OTHER PLEADING FILED IN THE CASE TO DATE IF REQUESTING ASSIGNMENT OF ALJ or ALTERNATIVE DISPUTE RESOLUTION (ADR)/MEDIATION. A COPY OF THE NOTICE OF PROCEEDING MUST BE FORWARDED TO SOAH AT THE SAME TIME IT IS MAILED TO THE PARTIES.**

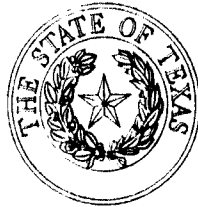
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Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Rolando Pablos
Commissioner

Brian H. Lloyd
Executive Director



Rick Perry
Governor

Public Utility Commission of Texas

12 MAY 2 2012
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PUBLIC UTILITY COMMISSION

TO: State Office of Administrative Hearings

FROM: Stephen Journey 
Director, Commission Advising & Docket Management

RE: Order of Referral
P.U.C. Docket No. 40360; SOAH Docket No. 473-12-6081 - *Application of Entergy Texas, Inc. for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor Tariff*

DATE: May 2, 2012

Enclosed herewith are the following documents related to the above referenced application:

1. Application and Commission file in the above referenced docket*
2. Request for assignment of Administrative Law Judge
3. Order of Referral

cc: without Items 1 and 2: All Parties of Record

*Referred file contains all filings through May 1, 2012

/rh
Q/CADM/Orders/Referral/40000/40360

P.U.C. DOCKET NO. 40360
SOAH DOCKET NO. 473-12-6081

APPLICATION OF ENERGER TEXAS, § PUBLIC UTILITY COMMISSION
INC. FOR AUTHORITY TO §
REDETERMINE RATES FOR THE § OF TEXAS
ENERGY EFFICIENCY COST RECOVERY §
FACTOR TARIFF §

ORDER OF REFERRAL

The Public Utility Commission of Texas (Commission) refers this docket to the State Office of Administrative Hearings (SOAH) and requests the assignment of an administrative law judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary in the event one or more issues are contested by the parties.

In order to develop a list of the issues to be addressed in this docket, as well as any necessary statement of Commission policy, precedent, and/or position on any threshold legal or policy issue(s) relevant to this proceeding, Entergy Texas, Inc., shall, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in the docket by **May 8, 2012**. This pleading may also (1) identify any issue(s) which should not be addressed in the docket, and (2) identify any threshold legal and/or policy issue(s) which should be briefed for purposes of a preliminary order. Specific explanations should support proposals included in the pleading pursuant to (1) and (2). Parties shall not file responses to any pleading submitted in response to this Order, unless specifically requested.

All subsequent pleadings in this docket must contain both the SOAH and PUC docket numbers to allow for efficient processing. Parties shall make filings in accordance with P.U.C. PROC. R. 22.71(c) regarding the number of copies to be filed or P.U.C. PROC. R. 22.71(d)(c) regarding the number of confidential items to be provided.

The Commission will issue and provide to SOAH a preliminary order which includes a list of issues and areas that must be addressed in this proceeding, pursuant to TEX. GOV'T CODE ANN. § 2003.049(e) (Vernon 2008 & Supp. 2011), and any necessary statement of Commission policy, precedent, or position on threshold issues, or

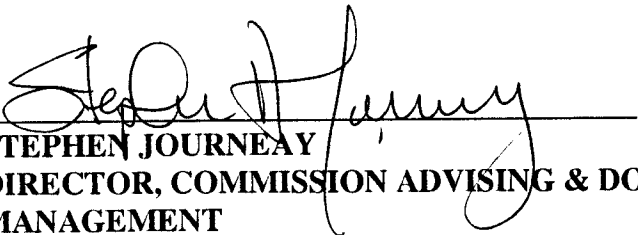
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DALLAS, TEXAS

combination thereof, relevant to this proceeding, pursuant to TEX. GOV'T CODE ANN. § 2001.058(c) (Vernon 2008 & Supp. 2011). The Commission will consider and possibly adopt a preliminary order in this docket in the open meeting currently scheduled to convene on **May 18, 2012**.

Pursuant to P.U.C. SUBST. R. 25.181(f)(10), except where good cause supports a different procedural schedule, the Commission shall issue a final order in this proceeding within 60 days after a sufficient application is filed, if no hearing is requested within 30 days of the filing of the application; or within 120 days after a sufficient application is filed, if a timely request for a hearing is made. If a hearing is requested, the hearing will be held no earlier than the first working date after the 45th day after a sufficient application is filed.

SIGNED AT AUSTIN, TEXAS the 2nd day of May 2012.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHEN JOURNEY
DIRECTOR, COMMISSION ADVISING & DOCKET
MANAGEMENT