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SOAH DOCKET NO. 473-13-4654
PUC DOCKET NO. 41538

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

2013 JUN 25 PM 1:03
JULY FILING DEADLINE

MOTION TO INTERVENE OF THE
TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, the Texas Department of Housing and Community Affairs, ("TDHCA"), by and through its attorney, Jeffrey T. Pender, and files its Motion to Intervene in the above referenced and docketed case pursuant to P.U.C. PROC. R. § 22.103(b) and 22.104, and would show the following:

I.

Intervenor, TDHCA, is an agency of the State of Texas, and is required by law to participate in the energy efficiency cost recovery factor proceedings of the unbundled utilities. Specifically Tex. Util. Code § 39.905(f) requires that "[T]he agency¹ shall participate in energy efficiency cost recovery factor proceedings related to expenditures under this subsection to ensure that targeted low-income weatherization programs are consistent with federal weatherization programs and adequately funded." (emphasis added). Accordingly, TDHCA has standing to intervene in this proceeding for this limited purpose.

¹ The "agency" referred to here is "[t]he state agency that administers the federal weatherization assistance program," as explained in the preceding sentence of subsection (f). Pursuant to Tex. Gov't. Code §§ 2306.053(b)(10) and 2306.097, TDHCA is the agency that administers the federal weatherization assistance programs in Texas.

Note, however, that TDHCA will not be participating in the negotiation of a proposed order, and if a hearing is requested, TDHCA will not be offering expert testimony or participating in the cross examination of witnesses. This Motion to Intervene is for the limited purpose of satisfying TDHCA's statutory requirement to participate in accordance with Tex. Util. Code §39.905.

II.

The authorized representative for TDHCA in this proceeding is:

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WHEREFORE, PREMISES CONSIDERED, TDHCA respectfully requests that it be granted intervenor status.

Respectfully submitted,




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Motion To Intervene
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CERTIFICATE OF SERVICE

I, Jeffrey T. Pender, certify that a copy of this document was served on all parties of record in this proceeding on June 25, 2013 in the following manner: facsimile transmission.



Jeffrey T. Pender

Rhonda Ryan/Jerry Huerta (AEP Texas Central) (512) 481-4591
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