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DOCKET NO. 44467

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APPLICATION OF BRYAN TEXAS UTILITIES FOR INTERIM UPDATE OF WHOLESALE TRANSMISSION RATES PURSUANT TO P.U.C. SUBST. R. 25.192(h) § § § § § §

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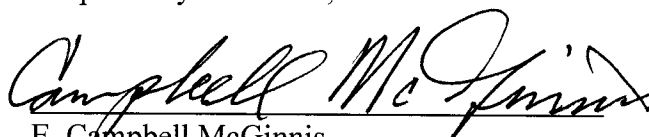
OF TEXAS PUBLIC UTILITY COMMISSION FILING CLERK

JOINT PROPOSED NOTICE OF APPROVAL

NOW COMES Bryan Texas Utilities (BTU), and files this Joint Proposed Notice of Approval of BTU's Application for Interim Update of Wholesale Transmission Rates (Application), including findings of fact, conclusions of law and ordering paragraphs. Public Utility Commission of Texas (Commission) Staff has reviewed and agreed to the Joint Proposed Notice of Approval attached to this pleading.

The Joint Proposed Notice of Approval and Commission Staff's recommendation for approval of BTU's Application were timely filed. The intervention deadline has passed, and no party has intervened. Therefore, BTU requests that the Administrative Law Judge issue a Notice of Approval of BTU's Application, consistent with P.U.C. SUBST. R. 25.192(h).


Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on all parties of record in this proceeding via facsimile, hand delivery, overnight delivery, or U.S. first class mail on this 15th day of April, 2015.



Darlene Burnham

DOCKET NO. 44467

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| APPLICATION OF BRYAN TEXAS UTILITIES FOR INTERIM UPDATE OF WHOLESALE TRANSMISSION RATES PURSUANT TO P.U.C. SUBST. R. 25.192(h) | § § § § § § | PUBLIC UTILITY COMMISSION OF TEXAS |
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JOINT PROPOSED NOTICE OF APPROVAL

This Notice of Approval addresses the application of Bryan Texas Utilities (BTU) for an interim update of wholesale transmission rates pursuant to P.U.C. SUBST. R. 25.192(h). Public Utility Commission of Texas (Commission) Staff recommended approval of the application. The application is approved.

The Administrative Law Judge (ALJ) adopts the following findings of fact and conclusions of law:

I. FINDINGS OF FACT

1. On February 27, 2015, BTU filed an application for interim update of wholesale transmission rates pursuant to P.U.C. SUBST. R. 25.192(h) (Application).
2. BTU requested an update to its previously-approved transmission cost of service (TCOS) and wholesale transmission rate.
3. BTU's Application compares the actual December 31, 2014, transmission net plant balances with the net plant balances for BTU at August 31, 2013, established by the Commission in PUC Docket No. 41920,¹ BTU's last interim TCOS update.

¹ *Application of Bryan Texas Utilities for Interim Update of Wholesale Transmission Rates Pursuant to Commission Subst. R. §25.192(h), Docket No. 41920, Notice of Approval (November 25, 2013).*

4. BTU requested an increase in total transmission rate base in this filing of \$25,717,572, with a corresponding total annual wholesale transmission revenue requirement increase of \$5,044,474.
5. BTU further requested that the Commission approve an interim wholesale transmission rate of \$422.1001 per megawatt or \$0.4221001 per kilowatt with an effective date of April 3, 2015.
6. On February 27, 2015, BTU provided notice via first class mail to all parties of record in Docket No. 22616² and to all transmission and distribution service providers included on the Commission's transmission matrix in Docket No. 43881.³
7. Also on February 27, 2015, BTU filed an affidavit attesting to the provision of notice.
8. On March 3, 2015, the ALJ issued Order No. 1, establishing a procedural schedule for this proceeding.
9. Order No. 1 set a deadline of March 20, 2015, for parties to intervene and intervenors to file motions to find the application materially deficient.
10. No party filed a motion to intervene or a motion to find the Application materially deficient.
11. BTU's schedules support an interim wholesale transmission rate of \$422.1001 per megawatt. BTU's calculated interim wholesale transmission rate is \$0.4221001 per kilowatt.

² *Application of Bryan Texas to Change Rates for Wholesale Transmission Service*; PUC Docket No. 22616, Final Order (May 9, 2001).

³ *Commission Staff's Application to Set 2015 Wholesale Transmission Service Charges for the Electric Reliability Council of Texas*, Docket No. 43881 Final Order (Mar. 27, 2015).

12. On April 10, 2015, Commission Staff recommended approval of BTU's Application as filed, with the updated transmission rates and underlying facility additions being subject to a comprehensive analysis and reconciliation at the next complete review of BTU's TCOS.
13. The following evidence is admitted into the record of this proceeding: (a) BTU's Application and all attachments thereto, filed on February 27, 2015, (b) BTU's Affidavit of Notice also filed on February 27, 2015, and (c) Commission Staff's Recommendation on Final Disposition, filed on April 10, 2015.

II. CONCLUSIONS OF LAW

1. BTU is an electric utility as provided in Section 35.001 of the Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001-66.016 (Vernon 2007 & Supp. 2014) (PURA), and a transmission service provider (TSP) in the Electric Reliability Council of Texas (ERCOT) region as defined in P.U.C. SUBST. R. 25.5(143).
2. The Commission has jurisdiction over this matter pursuant to § 35.004 of PURA .
3. This Application was processed in accordance with the requirements of PURA and Commission rules.
4. P.U.C. SUBST. R. 25.192(h)(1) provides that a TSP in the ERCOT region may update its transmission rates to reflect changes in its invested capital.
5. Notice of the Application was provided by BTU consistent with the requirements of P.U.C. SUBST. R. 25.192(h)(4)(A).
6. BTU is entitled to the relief requested in the Application pursuant to P.U.C. SUBST. R. 25.192(h)(1).

7. P.U.C. SUBST. R. 25.192(h)(2) provides that the Commission shall review whether the costs of transmission plant additions are reasonable and necessary at the next complete review of a TSP's TCOS.
8. BTU's Application was filed pursuant to and complies with the requirements of P.U.C. SUBST. R. 25.192(h)(1).
9. The requirements for informal disposition under P.U.C. PROC. R. 22.35 have been met in this proceeding.

III. ORDERING PARAGRAPHS

In accordance with these findings of fact and conclusions of law, the ALJ approves the following:

1. BTU's transmission revenue requirement is adjusted on an interim basis to \$26,879,637. Furthermore, BTU's wholesale transmission rate is adjusted on an interim basis to \$0.4221001 per kilowatt effective on the date of this Notice.
2. BTU may begin billing the updated wholesale-transmission rate on services rendered on or after the date of this Notice. The updated transmission rate supersedes any inconsistent rate.
3. The updated rate is subject to reconciliation at the next complete review of BTU's TCOS. The Commission shall review whether the costs of the transmission plant additions included in BTU's Application are reasonable and necessary at the next complete review of BTU's TCOS. Any over-recovery of costs as a result of this update is subject to refund.

4. Within 10 days of the date of this Notice, BTU shall file a “clean” record copy of the new Wholesale Transmission Service Rate tariff, with the appropriate effective date, to be stamped “Approved” and retained by the Commission.
5. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.

SIGNED AT AUSTIN, TEXAS the ___ day of _____, 2015

PUBLIC UTILITY COMMISSION OF TEXAS

**IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT**