



Control Number: 45343



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Legal Services

PUBLIC UTILITY COMMISSION
FILING CLERK

January 29, 2016

Ms. Lisa Clark
Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, Texas 78701

Re: Docket No. 45343, *Application of Entergy Texas, Inc. for PUCT Consulting Fee Rider and Request for Deferral* – **Joint Notice of Approval**

Dear Ms. Clark:

Please find attached for filing, Entergy Texas, Inc. ("ETI") and the staff of the Public Utility Commission's ("PUCT Staff") Joint Proposed Notice of Approval with proposed findings of fact, conclusions of law, and ordering paragraphs pursuant to Order No. 2 in the above referenced matter.

Thank you for your attention to this matter.

Sincerely,

Wajiha Rizvi
Counsel

Attachment

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PUCT DOCKET NO. 45343

**APPLICATION OF ENTERGY TEXAS, § PUBLIC UTILITY COMMISSION
INC. FOR PUBLIC UTILITY §
COMMISSION OF TEXAS §
CONSULTING FEE RIDER AND § OF TEXAS
REQUEST FOR DEFERRAL §**

JOINT NOTICE OF APPROVAL

This Joint Notice of Approval, submitted by Entergy Texas, Inc. (“ETI” or “the Company”) and the Staff of the Public Utility Commission of Texas (“Commission Staff”) approves ETI’s Application for Public Utility Commission of Texas Consulting Fee Rider and Request for Deferral (“Application”).

This docket was processed in accordance with applicable statutes and Public Utility Commission of Texas (“PUC” or “Commission”) rules. No party filed a request for hearing in the docket. There are no contested issues of law or fact to this proceeding. Based on ETI’s Application and on Commission Staff’s memorandum recommending approval of this Application, the following fact findings and legal conclusions are approved effective the date of this Notice.

I. Findings of Fact

Procedural History

1. ETI is an investor-owned electric utility with a retail service area located in southeastern Texas.
2. On November 16, 2015, ETI filed an application seeking authority to recover, under its Public Utility Commission Consulting Fee Rider, costs incurred in accordance with PURA § 39.4525 relating to Hiring Assistance for Federal Proceedings.
3. On November 19, 2015, the Commission’s Administrative Law Judge (“ALJ”) issued its Order No. 1 requiring comments/recommendations regarding the Application and sufficiency of notice.
4. On November 23, 2015, ETI filed a redacted Application.
5. On December 11, 2015, the Commission Staff filed a response to Order No. 1 recommending that the Application and notice be found sufficient.
6. On December 16, 2015, the Commission ALJ issued Order No. 2 deeming the Application and notice sufficient and adopting a procedural schedule.

7. On January 21, 2016, Commission Staff filed a recommendation on final disposition recommending approval of the Application based on the memoranda of Slade Cutter, Glenda Spence, and Adrian Narvaez.
8. No parties intervened in this proceeding.

Notice

9. ETI provided notice of its Application to all parties in its last completed base rate case, Docket No. 41791.

Description of Application

10. ETI's request is for a net refund of \$67,503.47. The components of this net refund are as follows: 1) payments made in calendar year 2014 in the amount of \$144,927.27 on PUCT consulting fee invoices with carrying costs; 2) an over-recovery of \$58,905.62 from the preceding PCF filing; and 3) an overbilling amount for the month of October 2015 of \$153,525.13, with interest.

Deferral

11. The Company requested a deferral of the net refund amount to its 2016 PCF filing with carrying charges.

II. Conclusions of Law

1. ETI is an electric utility as defined by PURA § 31.002(6).
2. The Commission has jurisdiction over this matter pursuant to PURA § 39.4525.
3. ETI served proper notice of the Application in compliance with 16 TAC §§ 25.241 and 22.55.
4. This docket was processed in accordance with the requirements of PURA, the Administrative Procedure Act, TEX. GOV'T CODE ANN. Chapter 2001 (Vernon 2008 & Supp. 2012), and Commission rules.
5. The costs incurred are in accordance with PURA § 39.4525.
6. ETI's request for deferral is reasonable.
7. The Application is reasonable.
8. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

1. ETI's Application is approved.
2. ETI shall update the October 2015 overbilling amount to include carrying costs charged for the months leading up to the 2016 PCF filing.

3. ETI shall file a clean copy of Schedule PCF-2, PUCT Consulting Fee Rider, with the Commission's Central Records Division to be stamped "Approved" and retained for future reference.
4. ETI's PCF rates shall be set to zero as reflected in PCF-2.
5. All other motions, requests for entry of specific findings of fact, conclusions of law, and ordering paragraphs, and any other requests for general or specific relief, if not expressly granted, are denied.

SIGNED AT AUSTIN, TEXAS on the ____ day of _____ 2016.

PUBLIC UTILITY COMMISSION OF TEXAS

ADMINISTRATIVE LAW JUDGE