



Control Number: 45343



Item Number: 8

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Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Brandy Marty Marquez
Commissioner

Brian H. Lloyd
Executive Director



Greg Abbott
Governor

Public Utility Commission of Texas

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PUBLIC UTILITY COMMISSION
FILING CLERK

TO: Donna L. Nelson, Chairman
Kenneth W. Anderson, Jr., Commissioner
Brandy Marty Marquez, Commissioner

All Parties of Record

FROM: Irene Montelongo
Director, Docket Management

RE: **Open Meeting of March 3, 2016**
Docket No. 45343 – *Application of Entergy Texas, Inc. for Public Utility Commission of Texas Consulting Fee Rider and Request for Deferral*

DATE: February 11, 2016

Enclosed is a copy of the Proposed Order in the above-referenced docket. The Commission is currently scheduled to consider this docket at an open meeting to begin at 9:30 a.m. on Thursday, March 3, 2016, at the Commission's offices, 1701 North Congress Avenue, Austin, Texas. The parties shall file corrections or exceptions to the Proposed Order on or before Wednesday, February 24, 2016.

If there are no corrections or exceptions, no response is necessary.

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DOCKET NO. 45343

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

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PUBLIC UTILITY COMMISSION

OF TEXAS

PROPOSED ORDER

This Order addresses the Application of Entergy Texas, Inc. for Public Utility Commission of Texas Consulting Fee Rider and Request for Deferral. Public Utility Commission of Texas (Commission) Staff recommended approval of the application. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History

1. Entergy Texas, Inc. (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 PUCT Consulting Fee Rider (PCF Rider), costs incurred in accordance with PURA¹ § 39.4525 relating to Hiring Assistance for Federal Proceedings.
3. On November 19, 2015, the Commission issued 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, Commission Staff filed a response to Order No. 1 recommending that the application and notice be found sufficient.

¹ Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (Vernon 2007 & Supp. 2015) (PURA).

6. On December 16, 2015, the Commission 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 the application to all parties in its last completed base rate case, Docket No. 41791.²

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 Tex. Admin. Code (TAC) §§ 25.241 and 22.55.

² *Application of Entergy Texas, Inc. for Authority to Change Rates and Reconcile Fuel Costs*, Docket No. 41791, Order (May 16, 2014).

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. 2015), 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

In accordance with the findings of facts and conclusions of law, the Commission issues the following Order:

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's PCF rates shall be set to zero as reflected in Schedule PCF-2, Exhibit SMC-1 to the application.
4. Within 10 days of the date this Order is issued, ETI shall file a clean copy of Schedule PCF-2, PUCT Consulting Fee Rider with Central Records to be stamped "Approved" and retained for future reference.
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 the _____ day of MARCH 2016.

PUBLIC UTILITY COMMISSION OF TEXAS

DONNA L. NELSON, CHAIRMAN

KENNETH W. ANDERSON, JR., COMMISSIONER

BRANDY MARTY MARQUEZ, COMMISSIONER

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