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COMPLAINT OF EVERETTH HOLLEY §  
AGAINST AEP TEXAS CENTRAL §  
COMPANY, JUST ENERGY, AND CPL §  
RETAIL ENERGY §  
§  
§

BEFORE THE STATE OFFICE  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF  
ADMINISTRATIVE HEARINGS

**EXCEPTIONS OF AEP TEXAS INC.**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

NOW COMES AEP Texas Inc. (AEP Texas)<sup>1</sup> and files its Exceptions in the *Complaint of Everetth Holley Against AEP Texas Central Company, Just Energy, and CPL Retail Energy*.

**I. INTRODUCTION**

AEP Texas appreciates the thoughtful analysis of the record in this case reflected in the Proposal for Decision (PFD) and supports the recommendation in the PFD. However, there are two characterizations of the facts in this case that are not accurate, and AEP Texas files these brief exceptions to clarify those two points.

**II. DISCUSSION**

A. AEP Texas did not install the wind turbine at the premises in question.

First, the PFD indicates that Mr. Holley's wind turbine was *installed* by AEP Texas.<sup>2</sup> However, Mr. Holley's wind turbine was not installed by AEP Texas, rather Mr. Holley indicated and AEP Texas does not dispute that it was *commissioned* by AEP.<sup>3</sup> Commissioning happens after distributed generation (DG) such as Mr. Holley's wind turbine is installed. The commissioning process involves activities such as ensuring the DG can be isolated from the distribution system and dual register meter installation.

<sup>1</sup> Effective December 31, 2016, AEP Texas Central Company and AEP Texas North Company were merged into their parent company, now called AEP Texas. The merger was approved by the Public Utility Commission of Texas (Commission) in Docket No. 46050 – *Application of AEP Texas Central Company, AEP Texas North Company, and AEP Utilities, Inc. for Approval of Merger*. Therefore, AEP Texas is now the respondent in this proceeding.

<sup>2</sup> Proposal for Decision at 5, FoF 14 and 15.

<sup>3</sup> Holley Exh. 1 at 1.

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B. The record does not show that Mr. Holley made a meter test request.

Second, the PFD criticizes AEP Texas for waiting until June 23, 2016 to test the meter that was removed from Mr. Holley's property, citing the Commission's rules on meter tests on request of customer, 16 Tex. Admin. Code 25.124(c). However, the record in this case does not show that Mr. Holley made a request for a meter test. Mr. Holley explained that he "scheduled [an] appointment for [an] AEP person to come out to see why [he] needed their help."<sup>4</sup> Mr. Stracener provided a similar description of the service request, explaining during the hearing that the AEP technician was sent out to Mr. Holley's property on February 19, 2016 after Mr. Holley contacted the Company with questions about the usage at the property. During that service call, the technician attempted to test the meter.<sup>5</sup> However, AEP Texas is not aware of a specific meter test request made by Mr. Holley and the record does not show that he requested a meter test.

**III. CONCLUSION**

With the two clarifications addressed above, AEP Texas supports the Proposal for Decision and its ultimate conclusion that this complaint be denied.

Dated: July 20, 2017

RESPECTFULLY SUBMITTED,

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<sup>4</sup> Holley Exh. 1 at 1.

<sup>5</sup> Tr. 45:1-11.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record in this proceeding by hand-delivery, overnight delivery, facsimile transmission, or U.S. first-class mail on the 20th day of July, 2017.

  
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Melissa Gage