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SOAH DOCKET NO. 473-18-3733  
PUC DOCKET NO. 48371

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**ENTERGY TEXAS, INC.'S  
STATEMENT OF INTENT AND  
APPLICATION FOR AUTHORITY  
TO CHANGE RATES**

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**BEFORE THE STATE OFFICE**  
PUBLIC UTILITY COMMISSION  
**OF**  
**ADMINISTRATIVE HEARINGS**

**COMMISSION STAFF'S STATEMENT OF POSITION**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Statement of Position.

On May 15, 2018, Entergy Texas, Inc. (ETI) filed a Statement of Intent and Application for Authority to Change Rates (Application) with the Commission. On May 16, 2018, the Commission issued an Order of Referral, referring the Application to the State Office of Administrative Hearings (SOAH). On October 5, 2018, ETI filed an Unopposed Stipulation and Settlement Agreement (Stipulation), and Staff filed testimony in support of that Stipulation.

As noted in footnote 1 of the Stipulation, Staff does not oppose, but also does not join, the continued retention of Option 4 of Schedule SQF of ETI's tariff, filed with the Stipulation. For the reasons discussed on pages 21-23 of the Direct Testimony of Grant Gervais,<sup>1</sup> which the parties have moved for admission into the evidentiary record as Staff Exhibit No. 1, retaining Option 4 has the effect of grandfathering certain distributed generation customers into net metering, which may be inconsistent with recent Commission precedent.<sup>2</sup> Staff therefore declines to join, but is unopposed to, the continued retention of Option 4 under Schedule SQF of ETI's tariff, and files this statement of position to bring the matter to the Commission's attention.

<sup>1</sup> Direct Testimony of Grant Gervais, Staff Ex. 1 at 21:1-23:6.

<sup>2</sup> *Application of Southwestern Electric Power Company for Authority to Change Rates*, Docket No. 46449, Order on Rehearing at 6-7, Finding of Fact No. 319A (Mar. 19, 2018).

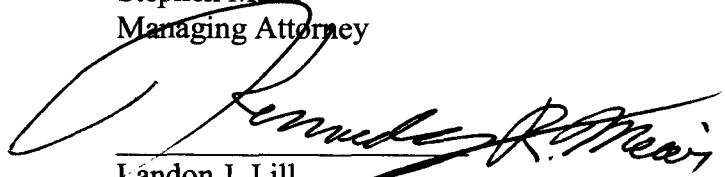
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Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

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Division Director

Stephen Mack  
Managing Attorney

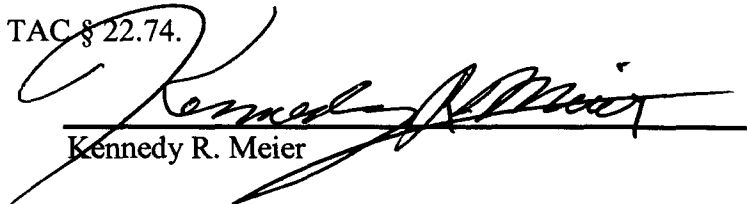


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 5<sup>th</sup> of October, 2018 in accordance with 16 TAC § 22.74.



Kennedy R. Meier