



Control Number: 48745



Item Number: 28

Addendum StartPage: 0

**SOAH DOCKET NO. 473-19-1841  
PUC DOCKET NO. 48745**

2019 JAN -9 AM 11:48

<b>COMPLIANCE FILING OF ENTERGY TEXAS, INC. RELATING TO PARTICIPATION IN SMART METER TEXAS AND CHANGES TO ITS ADVANCED METERING SYSTEMS</b>	§ § § § §	<b>BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS</b>
---	-----------------------	---

**SOAH ORDER NO. 1  
FILING DESCRIPTION, NOTICE OF PREHEARING CONFERENCE,  
AND PROCEDURES**

**I. FILING DESCRIPTION**

On October 9, 2018, Entergy Texas, Inc., filed an application to determine whether and to what extent it will participate in Smart Meter Texas; what changes, if any, should be made to its web-based customer interface; and whether and to what extent it should provide third-party direct access to customer advanced metering system data.<sup>1</sup> On January 3, 2019, the Public Utility Commission of Texas (Commission or PUC) issued an order referring the case to the State Office of Administrative Hearings (SOAH) for assignment of an Administrative Law Judge (ALJ) to conduct a hearing. The Commission will consider and possibly adopt a preliminary order in the open meeting currently scheduled to convene on February 7, 2019.

The Commission has jurisdiction over this application under Public Utility Regulatory Act (PURA) §§ 14.001, 32.001, and 39.107. SOAH has jurisdiction, pursuant to Texas Government Code § 2003.049 and PURA § 14.053, over all matters relating to the conduct of a hearing in this matter.

---

<sup>1</sup> This filing is made to comply with the Commission's order in *Application of Entergy Texas, Inc. for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees*, PUC Docket No. 47416, Final Order (December 14, 2017).

## II. NOTICE OF PREHEARING CONFERENCE

The undersigned ALJ will convene a **prehearing conference at 10:00 a.m., January 23, 2019**, at the SOAH, William P. Clements State Office Building, 300 West 15th Street, Fourth Floor, Austin, Texas. Those attending must check in with building security personnel in the lobby of the William P. Clements Building and be issued visitor badges before proceeding to the hearing room. The parties should allow sufficient time for the check-in procedure.

At the prehearing conference, the following matters will be discussed:

1. Pending motions filed by 3:00 p.m. on January 18, 2018;
2. A procedural schedule;
3. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

The parties may confer before the prehearing conference regarding the procedural schedule that will apply in this case. Any proposed procedural schedule must include, at a minimum, deadlines for discovery and prefiled testimony, and three alternative dates for the hearing on the merits.

## III. PROCEDURES

### A. Filing Procedures

Parties are expected to know how to file documents. The rules setting out how to file documents are found in Subchapter E of the Commission's procedural rules, which are available for viewing and downloading from the Commission's website at [www.puc.texas.gov](http://www.puc.texas.gov).<sup>2</sup> Pleadings and other documents shall be deemed filed when the proper number of legible copies is presented

---

<sup>2</sup> All filings in PUC cases are available on the Commission's website under Filings: click on "Filings Search," and enter the control number 48745, and click "Search." A list of documents filed in this docket will appear and you may access those documents by clicking on the document number.

to the PUC filing clerk for filing. **All pleadings must contain both the SOAH and PUC docket numbers.**

All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. The Commission's filing clerk will forward a copy of the pleadings to SOAH. Parties wishing to hand-deliver a file-stamped copy of a pleading to the ALJ should deliver it to Room 504, 5th Floor, Clements Building, 300 W. 15th St., Austin, Texas.

## **B. Service Procedures**

**Any document filed with the Commission must also be served on all parties.** All parties shall provide their current telephone and facsimile number, if available, and email address, if available, to all other parties.

All mail sent to the parties by the ALJ will be sent by first class mail or by fax. However, if you prefer to receive service from SOAH by email, please click on E-Services on SOAH's website, [www.soah.texas.gov](http://www.soah.texas.gov), for information and the form to request email service.

## **C. Motions**

Motions for continuance shall be governed by 16 Texas Administrative Code § 22.79. If a continuance or extension of time is sought, the motion shall propose a new date or dates and shall indicate whether the other parties agree to the new date or dates. Because the ALJ or a hearing room may not be available on a given day, a proposed range of dates would be preferable. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, a contested motion for continuance or extension is not granted and the existing schedule remains in place.

Unless otherwise specified in the applicable procedural rules, responses to any motion or other pleading shall be filed within **five working days** from receipt of the motion or pleading. The response shall state the date of receipt of the motion or pleading to which a response is made. If a

party does not respond to a motion, the ALJ will assume that the party agrees with the motion or does not oppose the requested relief.

**D. Other Procedural Matters**

Any matters not addressed by this order shall be governed by the procedural rules of the Commission, which are available for viewing and downloading from the Commission's website at [www.puc.texas.gov](http://www.puc.texas.gov).

Discovery may begin immediately pursuant to Subchapter H of the Commission's procedural rules.

**SIGNED January 9, 2019.**



---

CHRISTIAAN SIANO  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS