



Control Number: 48745



Item Number: 34

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION  
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# OPEN MEETING COVER SHEET

**MEETING DATE:** FEBRUARY 7, 2019

**DATE DELIVERED:** JANUARY 31, 2019

**AGENDA ITEM NO.:** 6

**CAPTION:** Docket No. 48745; SOAH No. 473-19-1841  
Compliance Filing of Entergy Texas, Inc.  
Relating to Participation in Smart Meter  
Texas and Changes to its Advanced  
Metering System

**ACTION REQUESTED:** Discussion and possible action with respect  
to Draft Preliminary Order

Distribution List:  
Commissioners' Offices (6)  
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**Arthur C. D'Andrea**  
Commissioner

**Shelly Botkin**  
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Executive Director



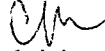
**Greg Abbott**  
Governor

## *Public Utility Commission of Texas*

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TO: Chairman DeAnn T. Walker  
Commissioner Arthur C. D'Andrea  
Commissioner Shelly Botkin

All Parties of Record

FROM: Carsi Mitzner   
Commission Advising

RE: *Application of Entergy Texas, Inc. Relating to Participation in Smart Meter Texas and Changes to its Advanced Metering System*, Docket No. 48745. SOAH Docket No. 473-19-1841, Draft Preliminary Order, February 7, 2019 Open Meeting, Item No 6.

DATE: January 31, 2019

Please find enclosed the draft preliminary order filed by Commission Advising in the above-referenced docket. The Commission will consider this draft preliminary order at the February 7, 2019 open meeting. Parties shall not file responses or comments addressing this draft preliminary order.

Any modifications to the draft preliminary order that are proposed by one or more Commissioners will be filed simultaneously prior to the consideration of the matter at the February 7, 2019 open meeting.

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

<b>APPLICATION OF ENTERGY TEXAS,</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>INC. RELATING TO PARTICIPATION</b>	<b>§</b>	
<b>IN SMART METER TEXAS AND</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CHANGES TO ITS ADVANCED</b>	<b>§</b>	
<b>METERING SYSTEM</b>	<b>§</b>	

**DRAFT PRELIMINARY ORDER**

Entergy Texas, Inc. (ETI) filed an application to address its potential participation in Smart Meter Texas and related issues. Smart Meter Texas is a web portal by which AEP Texas Inc., CenterPoint Energy Houston Electric, LLC, Oncor Electric Delivery Company LLC, and Texas-New Mexico Power Company make metering data available to customers and others. This preliminary order identifies the issues that must be addressed in this proceeding.

In Docket No. 47416,<sup>1</sup> the Commission approved ETI's application for approval of its advanced metering system (AMS) deployment plan, AMS surcharge, and metering service fees. In that final order, the Commission also directed ETI to initiate this proceeding to address whether and, if so, to what extent ETI will participate in Smart Meter Texas; what changes, if any, should be made to ETI's web-based customer interface; and whether, and if so, to what extent ETI should provide third-party direct access to customer AMS data.<sup>2</sup>

ETI filed this application on October 9, 2018. On January 3, 2019, the Commission referred this matter to the State Office of Administrative Hearings (SOAH). The Office of Public Utility Counsel and Mission: data are intervenors in this proceeding.

ETI was directed, and Commission Staff and other interested persons were allowed, to file a list of issues to be addressed in the docket and also to identify any issues not to be addressed and any threshold legal or policy issues that should be addressed by January 10, 2019. ETI and Commission Staff each timely filed a list of issues.

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<sup>1</sup> *Application of Entergy Texas, Inc. for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees*, Docket No. 47416, Order (Dec. 14, 2017).

<sup>2</sup> *Id.* at Ordering Paragraph 6.

## **I. Issues to be Addressed**

The Commission must provide to the ALJ a list of issues or areas to be addressed in any proceeding referred to SOAH.<sup>3</sup> After reviewing the pleadings submitted by the parties, the Commission identifies the following issues that must be addressed in this docket:

1. Should ETI be required to participate in Smart Meter Texas? If so, how, if at all, should ETI's participation differ from that of the transmission and distribution utilities currently participating in Smart Meter Texas?
2. If ETI is not required to participate in Smart Meter Texas, does ETI's web-based customer interface, including any planned changes and upgrades, comply with the applicable requirements in 16 Texas Administrative Code § 25.130 and PURA<sup>4</sup> § 39.107?
3. What, if any, additional changes should ETI make to its web-based customer interface to comply with Commission rules?
4. Is ETI's proposal to provide third-party direct access to its customers' AMS data through Green Button Connect My Data reasonable and in accordance with industry security standards and Commission rules?

This list of issues is not intended to be exhaustive. The parties and the ALJ are free to raise and address any issues relevant in this docket that they deem necessary, subject to any limitations imposed by the ALJ or by the Commission in future orders issued in this docket. The Commission may identify and provide to the ALJ in the future any additional issues or areas that must be addressed, as permitted under Texas Government Code § 2003.049(e).

## **II. Effect of Preliminary Order**

This Order is preliminary in nature and is entered without prejudice to any party expressing views contrary to this Order before the SOAH ALJ at hearing. The SOAH ALJ, upon his or her own motion or upon the motion of any party, may deviate from this Order when circumstances dictate that it is reasonable to do so. Any ruling by the SOAH ALJ that deviates from this Order

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<sup>3</sup> Tex. Gov't Code § 2003.049(e).

<sup>4</sup> Public Utility Regulatory Act, Tex. Util. Code § 39.107.

may be appealed to the Commission. The Commission will not address whether this Order should be modified except upon its own motion or the appeal of a SOAH ALJ's order. Furthermore, this Order is not subject to motions for rehearing or reconsideration.

**Signed at Austin, Texas the \_\_\_\_\_ day of February 2019.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

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**DEANN T. WALKER, CHAIRMAN**

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**ARTHUR C. D'ANDREA, COMMISSIONER**

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**SHELLY BOTKIN, COMMISSIONER**

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