



Control Number: 49140



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**DOCKET NO. 49140**

**JOINT APPLICATION OF ENTERGY § PUBLIC UTILITY COMMISSION**  
**TEXAS, INC. AND MID-SOUTH §**  
**SYNERGY TO AMEND §**  
**CERTIFICATES OF CONVENIENCE §**  
**AND NECESSITY FOR SERVICE AREA §**  
**BOUNDARY CHANGES IN §**  
**MONTGOMERY COUNTY §**  
**OF TEXAS**

**NOTICE OF APPROVAL**

This Notice of Approval addresses the joint application of Entergy Texas, Inc. and Mid-South Electric Cooperative Association d/b/a Mid-South Synergy for minor service-area boundary changes within Montgomery County. The Commission approves the minor boundary changes to the certificates of convenience and necessity (CCNs) of Entergy and Mid-South Synergy.

**I. Findings of Fact**

The Commission makes the following findings of fact.

**Applicants**

1. Entergy provides electric generation, transmission, and distribution services under CCN number 30076.
2. Mid-South Synergy is an electric cooperative that provides service under CCN number 30119.
3. Mid-South Synergy is a domestic nonprofit corporation registered with the Texas secretary of state on September 13, 1940 under filing number 7955801.

**Application**

4. On January 24, 2019, Entergy and Mid-South Synergy filed a joint application for minor service-area boundary changes to clarify the service-area boundary lines between the two providers.
5. Entergy and Mid-South Synergy identified four areas of discrepancy regarding the current certificated service area boundary lines.
6. All of the requested areas are within Montgomery County.



7. The proposed boundary changes will result in the alignment of the historical service area boundaries currently utilized by Entergy and Mid-South Synergy, and the Commission's certificated service area boundaries.
8. Entergy and Mid-South Synergy have each agreed to the proposed boundary changes.
9. In Order No. 4 issued on March 22, 2019, the administrative law judge (ALJ) found the application sufficient.

**Minor Boundary Change Requirements—16 Texas Administrative Code (TAC)**  
**§ 25.101(b)(1)(B)**

10. Entergy and Mid-South Synergy are the only utilities affected by the proposed boundary changes, and they have each agreed to the proposed changes.
11. In Order No. 4 issued on March 22, 2019, a good cause exception to the requirement of obtaining consent from all customers within the affected area was granted because the proposed boundary changes will not change any existing customer's service or service provider.

**Factors Considered in Granting the Proposed Boundary Changes—PURA' § 37.056**

12. The proposed boundary changes will not affect electric service and will not change the service provider for any existing customer.
13. Entergy and Mid-South Synergy are the only utilities affected by the proposed boundary changes.
14. The proposed boundary changes will have no effect on community values, recreational and park areas, historical and aesthetic values, or environmental integrity.
15. Approval of the proposed boundary changes will result in: (a) more efficient provision of electric service to future customers; (b) proper routing of transmission lines; and (c) less duplication and redundancy of distribution infrastructure.
16. The proposed boundary changes will not impact the renewable energy goal established by PURA § 39.904(a).

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<sup>1</sup> Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

**Notice**

17. Entergy provided notice, via hand-delivery on April 11, 2019, of the proposed boundary changes to the cities of Conroe and Montgomery, the county of Montgomery, and the Office of Public Utility Counsel.
18. Entergy published notice of the proposed boundary changes in the *Conroe Courier*, a newspaper of general circulation in Montgomery County, on April 12, 2019.
19. Entergy filed an affidavit of Carl Olson, manager of regulatory affairs of Entergy, on April 12, 2019, attesting to the provision of notice.
20. Entergy provided a publisher's affidavit on April 17, 2019, attesting to the notice provided in the *Conroe Courier*.
21. Order No. 6 issued on May 6, 2019, the ALJ found the notice sufficient.

**Informal Disposition**

22. More than 15 days have passed since the completion of notice provided in this docket.
23. No person filed a protest or motion to intervene.
24. Entergy, Mid-South Synergy, and Commission Staff are the only parties to this proceeding.
25. No party requested a hearing and no hearing is needed.
26. Commission Staff recommended approval of the application.
27. This decision is not adverse to any party.

**II. Conclusions of Law**

The Commission makes the following conclusions of law.

1. The Commission has jurisdiction over the application under PURA §§ 37.051 and 37.056.
2. Entergy and Mid-South Synergy are electric utilities as defined in PURA § 37.001(2).
3. The proposed service-area boundary changes are necessary for the service, accommodation, convenience, or safety of the public within the meaning of PURA § 37.056(a).
4. This proceeding constitutes a minor boundary change under 16 TAC § 25.101(b)(1)(B), and as a result, the notice requirements of 16 TAC § 22.52(a) do not apply.

5. Notice was provided by the applicants in satisfaction of Order No. 4 and 16 TAC § 22.55.
6. The Commission processed the application as required by PURA, the Administrative Procedure Act<sup>2</sup>, and Commission rules.
7. In light of the good cause exception granted in Order No. 4, the requirements for administrative approval in 16 TAC § 25.101(b)(1)(B) have been met in this proceeding.
8. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

### III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission approves the application.
2. The Commission's official service-area boundary maps for Entergy and Mid-South Synergy will be revised in Central Records in accordance with the maps attached to the application to reflect these changes.
3. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

Signed at Austin, Texas the 20<sup>th</sup> day of June 2019.

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**CHRISTOPHER OAKLEY**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>2</sup> Tex. Gov't Code ch. § 2001.