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DOCKET NO. 49308

APPLICATION OF AEP TEXAS INC.  
FOR A FINANCING ORDER

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PUBLIC UTILITY COMMISSION

OF TEXAS

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PUBLIC UTILITY COMMISSION  
FILING CLERK

ORDER NO. 7  
DENYING MOTION TO INTERVENE

This Order addresses Tom Joseph's April 17, 2019, motion to intervene and request that the Commission examine AEP Texas Inc.'s cost of providing electric service.

On April 23, 2019, AEP Texas objected, arguing that Mr. Joseph's intervention was not timely and that his interest in this proceeding is not relevant to the securitization of system restoration costs; therefore, he does not demonstrate a justiciable interest in the outcome of this proceeding.

On May 3, 2019, Mr. Joseph responded, arguing that AEP Texas' objection to his intervention should be denied and requesting that the Office of Public Utility Counsel (OPUC) examine the efficiency of AEP Texas' operations and he be informed of any action occurring before the Commission.

On May 9, 2019, AEP Texas filed, among other things, a letter regarding settlement and that the settlement documents were provided to Mr. Joseph while his intervention remained pending. AEP Texas provided a date certain for Mr. Joseph to respond to the settlement. Mr. Joseph did not respond.

On May 22, 2019, Commission Staff filed its response, recommending that Mr. Joseph's motion to intervene be denied. Specifically, Commission Staff agrees with AEP Texas that Mr. Joseph's concerns are beyond the scope of the instant proceeding and would be more appropriately addressed in SOAH Docket No. 473-19-4421; PUC Docket No. 49494,<sup>1</sup> AEP Texas' application for authority to change rates. AEP Texas' application to change rates is currently pending before the State Office of Administrative Hearings, including a procedural schedule with an intervention deadline that has not yet passed, July 11, 2019. Commission Staff represented that

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<sup>1</sup> *Application of AEP Texas Inc. for Authority to Change Rates*, SOAH Docket No. 473-19-4421; PUC Docket No. 49494 (pending).



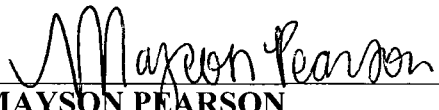
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OPUC did not seek to intervene in the instant proceeding, but did intervene and was granted intervenor status in Docket No. 49494.

Based on the above, the administrative law judge denies Mr. Joseph's motion to intervene in this case because his concerns are beyond the scope of this proceeding.

Signed at Austin, Texas the 22<sup>nd</sup> day of May 2019.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
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**MAYSON PEARSON**  
**ADMINISTRATIVE LAW JUDGE**

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