



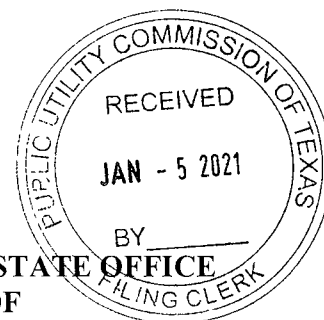
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SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415



APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE
ELECTRIC POWER COMPANY FOR § OF
AUTHORITY TO CHANGE RATES § ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 3
GRANTING MOTIONS TO INTERVENE AND GRANTING MOTIONS TO
CONSOLIDATE RATE ACTIONS OR INACTIONS BY CERTAIN MUNICIPALITIES

I. MOTIONS TO INTERVENE

On November 30, 2020, East Texas Salt Water Disposal Company and East Texas Oil and Gas Producers (collectively ETSWD) and Sierra Club filed motions to intervene in this docket. On December 22, 2020, Nucor Steel Longview, LLC (Nucor) filed a motion to intervene. No party filed timely objections to these motions to intervene. The motions to intervene filed by ETSWD, Sierra Club, and Nucor are **GRANTED**.

II. APPEAL OF MUNICIPAL DECISIONS

On December 3, 2020, Southwestern Electric Power Company (SWEPCO) filed its First Petition for Review of the Resolution of the City of Alba and Motion to Consolidate. On December 8, 2020, SWEPCO filed its Second Petition for Review of the Resolution of the City of Avery and Motion to Consolidate. In both filings, SWEPCO states that the named cities adopted resolutions that denied SWEPCO's rate application and kept the existing rates in effect. In its Petitions, SWEPCO requests that its appeals of the resolutions of the Cities of Alba and Avery be consolidated with this docket. SWEPCO states these appeals involve issues of law and fact common to those involved in this Docket No. 51415, and a separate hearing of these appeals and Docket No. 51415 would result in unwarranted expenses, delay, or substantial injustice. Based on SWEPCO's Petitions, the appeals of the resolutions by the Cities of Alba and Avery are hereby **CONSOLIDATED** for review into this docket.

On December 17, 2020, SWEPCO filed its Third Appeal of Municipal Decisions (Third Appeal) in accordance with Public Utility Regulatory Act § 33.051.¹ The Third Appeal addresses

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.016

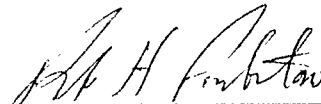
instances in which municipalities failed to take action on SWEPCO's rate application within 35 days after the date SWEPCO filed its rate application. The municipalities that failed to act by denying SWEPCO's request or timely suspending SWEPCO's proposed rates as specified in the Third Appeal include: Atlanta, Big Sandy, Carthage, Center, Childress, Clarksville City, DeKalb, East Mountain, Estelline, Fruitvale, Gilmer, Grand Saline, Hallsville, Hawkins, Hooks, Hughes Springs, Jefferson, Kilgore, Lakeport, Leary, Linden, Marshall, Memphis, Miller's Cove, Mineola, Mt. Pleasant, Naples, Nash, New Boston, Omaha, Overton, Pittsburg, Queen City, Red Lick, Scottsville, Tenaha, Texarkana, Wake Village, Warren City, Waskom, Wellington, White Oak, Winfield, Winnsboro, and Winona.

SWEPCO appeals the lack of timely action by the municipalities listed above and requests that its Third Appeal be consolidated with this docket. No party filed a timely objection to SWEPCO's Third Appeal. Based on the foregoing, SWEPCO's Third Appeal is **CONSOLIDATED** with this docket.

SIGNED January 5, 2021.



STEVEN H. NEINAST
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



ROBERT H. PEMBERTON
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS