



Filing Receipt

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**SOAH DOCKET NO. 473-21-2531
PUC DOCKET NO. 52199**

Application of AEP Texas Inc. to Adjust Its Energy Efficiency Cost Recovery Factor and Related Relief

AFFIDAVIT OF ANNA GIVENS

**THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §**

ON THIS DAY, before me, the undersigned authority, personally appeared Anna Givens who on her oath stated as follows:

1. My name is Anna Givens, CPA. I am employed as Director of Financial Review in the Rate Regulation Division of the Public Utility Commission of Texas (Commission).
2. I am at least 21 years of age, fully competent and authorized to make the statements herein. Additionally, I have personal knowledge of the facts stated herein, and they are true and correct to the best of my knowledge.
3. On June 1, 2021, AEP Texas, Inc. (AEP Texas) filed the Application of AEP Texas, Inc. to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief in Docket No. 52199 (Application) under the requirements of Public Utility Regulatory Act (PURA) § 39.905 and 16 Texas Administrative Code (TAC) §§ 25.181 and 25.182.
4. In its filing, AEP Texas requested approval of its Program Year 2022 Energy Efficiency Cost Recovery Factor (EECRF) in the amount of \$27,021,197. The components of this amount consist of the following:
 - \$17,747,658 in energy efficiency expenses forecasted for the 2022 program year;
 - \$ 211,359 in Evaluation, Measurement and Verification (EM&V) expenses for the evaluation of program year 2021;
 - \$ 351,084 for the under-recovery of the program year 2020 energy efficiency expenses (including interest and the recovery of program year 2019 EM&V expenses);
 - \$ 8,673,275 in earned energy efficiency performance bonus;
 - \$ 26,739 for the rate-case expenses incurred by AEP Texas in Docket No. 50892;¹ and
 - \$ 11,083 for the rate-case expenses incurred by the Cities Served by AEP Texas (Cities) in Docket No. 50892.
5. In its filing, AEP Texas requests recovery of rate-case expenses related to external legal counsel and employee and other expenses for its 2020 EECRF proceeding, as allowed under

¹ *Application of AEP Texas, Inc. to Adjust Its Energy Efficiency Cost Recovery Factor and Related Relief*, Docket No. 50892 (Sep. 24, 2020).

16 TAC § 25.182(d)(3)(B). AEP Texas also requests recovery of rate-case expenses related to the Cities for participation in the 2020 EECRF proceeding, as allowed under the requirements of 16 TAC § 25.182(d)(3)(B).

6. AEP Texas incurred \$26,739 in legal fees from Duggins Wren Mann & Romero LLP for Docket No. 50892, its immediately preceding Energy Efficiency Cost Recovery Factor proceeding. The Cities incurred \$7,249 in legal fees from Lloyd Gosselink Rochelle & Townsend, P.C. for participation in Docket No. 50892. The Cities also incurred \$3,834 in consulting fees from ReSolved Energy Consulting, LLC for services related to the review of Docket No. 50892.
7. AEP Texas's total requested rate-case expenses of \$37,822 are supported by:
 - a. An affidavit of Leila M. Melhem, Senior Counsel with American Electric Power Service Corporation, attesting to the reasonableness and necessity of the rate-case expenses incurred by AEP Texas.
 - b. Detailed documentation, provided by AEP Texas, supporting those rate-case expenses, including copies of invoices and documentation responsive to Commission Staff's requests for information.
 - c. An affidavit of Jamie L. Mauldin, principal attorney with Lloyd Gosselink Rochelle & Townsend, P.C., attesting to the reasonableness and necessity of the rate-case expenses incurred by the Cities.
 - d. Detailed documentation, provided by the Cities, supporting those rate-case expenses, including copies of invoices and documentation responsive to Commission Staff's requests for information.
8. I reviewed AEP Texas's Application, the testimony and affidavits filed on behalf of AEP Texas and Cities, along with supporting documentation, which included itemized rate-case expense invoices. I applied the standards of 16 TAC § 25.245(b) and (c).
9. Based upon my review, I determined that AEP Texas's total requested rate-case expenses of \$37,822 related to Docket No. 50892 are reasonable.
10. On July 21, 2021, parties to the proceeding reported to the Administrative Law Judge that they reached an agreement in principle, resolving all outstanding issues.
11. The Unanimous Stipulation (Stipulation) is entered into by the parties in this proceeding, who are the Staff (Staff) of the Commission, AEP Texas, and Cities (collectively, Signatories).
12. The Signatories agree to a total reduction of \$100,000 from AEP Texas's filed request.
13. The Signatories agree that AEP Texas's 2022 EECRF will recover \$26,921,197 during program year 2022 as follows:

\$17,647,658	in energy efficiency expenses forecasted for the 2022 program year;
\$ 211,359	in EM&V expenses for the evaluation of program year 2021;
\$ 351,084	for the under-recovery of the program year 2020 energy efficiency expenses (including interest and the recovery of program year 2019 EM&V expenses);
\$ 8,673,275	in earned energy efficiency performance bonus;
\$ 26,739	for the rate-case expenses incurred by AEP Texas in Docket No. 50892;
	and
\$ 11,083	for the rate-case expenses incurred by municipalities.

14. The Signatories agree that AEP Texas's consolidated program year 2022 EECRF cost recovery factors, as provided in Attachment A to the Stipulation, are reasonable.
15. Commission Staff of the Infrastructure Division and Rate Regulation Division reviewed AEP Texas's Application and testimony in this proceeding. Based on the collective review of Commission Staff, I recommend approval of this Agreement

Anna Givens

Anna Givens, CPA
Director, Financial Review
Rate Regulation Division
Public Utility Commission of Texas

SUBSCRIBED AND SWORN TO before me, on this the 18th day of August, 2021.

Bernice C. Cox

NOTARY PUBLIC in and for the State of Texas.

