



## Filing Receipt

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| <b>APPLICATION OF AEP TEXAS INC.</b> | <b>§</b> | <b>PUBLIC UTILITY COMMISSION</b> |
| <b>FOR APPROVAL OF A WHOLESALE</b>   | <b>§</b> |                                  |
| <b>DISTRIBUTION SERVICE</b>          | <b>§</b> | <b>OF TEXAS</b>                  |
| <b>DISTRIBUTED GENERATION</b>        | <b>§</b> |                                  |
| <b>ENERGY STORAGE TARIFF</b>         | <b>§</b> |                                  |

**COMMISSION STAFF'S RECOMMENDATION ON THE APPLICATION, PROPOSED NOTICE, INTERIM RELIEF AND PROPOSED PROCEDURAL SCHEDULE**

On February 24, 2022, AEP Texas Inc. (AEP Texas) filed an application for approval of a Wholesale Distribution Service Distributed Generation Energy Storage Tariff pursuant to 16 TAC § 25.191.

On March 1, 2022, the Administrative Law Judge (ALJ) issued Order No. 1, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to comment on the application, proposed notice, request for interim relief, and an appropriate method for processing this proceeding by March 25, 2022. Therefore, this pleading is timely filed.

**I. APPLICATION SUFFICIENCY**

Staff has reviewed the application and recommends that the application be found sufficient for further processing. This recommendation does not address the merits of the application.

**II. NOTICE SUFFICIENCY**

AEP Texas filed proof of notice and a confidential attachment to the proof of notice on March 1, 2022. Staff has reviewed proof of notice and the confidential filing and recommends that AEP Texas's notice be deemed sufficient.

**III. INTERIM RELIEF**

AEP Texas requested an order implementing temporary rates effective 90 days after the filing on this Application, with the temporary rate subject to true-up back to the effective date of the temporary rates. Staff recommends that, because this is a new tariff for wholesale distribution

service for energy storage, a relate back date for rates of May 24, 2022 or 90 days after the filing of the application is more appropriate. This proposal would still allow AEP Texas to surcharge its customers once a final order is in place for the period from May 24, 2022 until a final order is issued, but would prevent undue harm to any affected energy storage entity in AEP Texas's service area in the interim. Therefore, Staff recommends that an order be issued providing a relate back date for effective rates to May 24, 2022.

#### **IV. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule:

| <b>Event:</b>  | <b>Date:</b>      |
|--|-------------------|
| Application Filed  | February 24, 2022 |
| Intervention Deadline (45 days from date petition filed)   | April 11, 2022    |
| Deadline for Intervenors to request a hearing on the merits;<br>deadline for Intervenor comments if no hearing is requested  | April 25, 2022    |
| <i><b>If qualified for informal disposition:</b></i>   |                   |
| Deadline for Commission Staff to request a hearing on the merits;<br>deadline for Commission Staff's recommendation on final disposition if no hearing on the merits requested   | May 23, 2022      |
| Deadline for Applicants to request a hearing or respond to Intervenor comments and Staff recommendation on final disposition;<br>or, deadline for Parties to file a joint proposed order, including proposed findings of fact, conclusions of law, and ordering paragraphs | June 8, 2022      |

#### **V. CONCLUSION**

For the reasons stated above, Staff respectfully recommends that the petition be deemed sufficient for further processing, that AEP Texas's provision of notice be found sufficient, that a relate back date for rates be set, and that the above proposed procedural schedule be adopted.

Dated: March 25, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on October 23, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish  
Robert Dakota Parish