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**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**APPLICATION OF AEP TEXAS INC. FOR APPROVAL OF A
WHOLESALE DISTRIBUTION SERVICE DISTRIBUTED
GENERATION TARIFF**

SOAH ORDER NO. 2

**ADOPTING PROCEDURAL SCHEDULE; REQUIRING CLARIFICATION
FILING; SETTING AND PROVIDING INSTRUCTIONS FOR HEARING ON
THE MERITS**

I. ADOPTING PROCEDURAL SCHEDULE

On September 6, 2022, AEP Texas Inc. (AEP Texas) filed an agreed procedural schedule, requesting its adoption. The request is **GRANTED**. The Administrative Law Judges (ALJs) adopt the proposed schedule and procedures set out below:

Date	Event
October 7, 2022	Deadline for AEP Texas to file direct and supplemental testimony and exhibits
October 14, 2022	Deadline to file objections to AEP Texas' direct testimony and exhibits
October 28, 2022	Deadline to respond to objections to AEP Texas' direct testimony and exhibits
December 15, 2022	Deadline for Intervenors to file direct testimony and exhibits
December 15, 2022	Deadline to file written discovery and conduct depositions on AEP Texas' direct and supplemental testimony and exhibits
December 22, 2022	Deadline to file objections to Intervenors' direct testimony and exhibits
December 22, 2022	Deadline for Staff to file direct testimony and exhibits
January 5, 2023	Deadline to respond to objections to Intervenors' direct testimony and exhibits
January 12, 2023	Deadline to file objections to Staff's direct testimony and exhibits
January 19, 2023	Deadline to file written discovery and conduct depositions on Intervenors' and Staff's direct testimony and exhibits
January 26, 2023	Deadline to respond to objections to Staff's direct testimony and exhibits
February 16, 2023	Deadline for Staff or Intervenors to file cross-rebuttal testimony and exhibits

Date	Event
TBD ¹	Deadline to file objections to Staff's or Intervenors' cross-rebuttal testimony and exhibits
March 9, 2023	Deadline for AEP Texas to file rebuttal testimony and exhibits
March 16, 2023	Deadline to object to AEP Texas' rebuttal testimony and exhibits
March 23, 2023	Deadline to respond to objections AEP Texas' rebuttal testimony and exhibits
April 5, 2023	Deadline to serve discovery on AEP Texas' rebuttal testimony and exhibits
April 19, 2023	Deadline to respond to discovery on AEP Texas' rebuttal testimony and exhibits
April 24, 2023	Prehearing conference
April 25, 2023	Deadline for submitting exhibits (record and appeal copies to court reporter, courtesy copies to ALJs, and electronic copies to a sharefile system if one is established)
April 26-27, 2023	Hearing on the Merits
May 30, 2023 ²	Initial Post-Hearing Briefs ³
June 19, 2023	Post-Hearing Response Briefs and Proposed Findings of Fact and Conclusions of Law

¹ As discussed below, the ALJs require the parties to propose a final deadline for this action.

² The parties proposed May 29, 2023, which is Memorial Day.

³ Post-hearing briefing deadlines are preliminary and subject to revision at the conclusion of the hearing.

The following actions shall be taken **no later than April 19, 2023, at NOON:**

- AEP Texas **SHALL** file a list of persons who have signed the Protective Order.
- Each party **SHALL** file a witness list identifying all witnesses the party expects to call to testify during the hearing and identifying its witnesses, if any, for whom all other parties waived cross-examination.
- Each party **SHALL** file a list of all exhibits it intends to offer at the hearing (including, for example, on cross-examination). The list shall identify any exhibit containing Protected Materials or Highly Sensitive Protected Materials under the Protective Order issued in this case.
- The parties **SHALL** deliver to the ALJs at the State Office of Administrative Hearings (SOAH), Room 504, 5th Floor, William P. Clements Building, 300 West 15th Street, Austin, Texas, 78701, *the ALJs' copies, the record copy, and two appeal copies* of all exhibits (including those containing Protected Materials or Highly Sensitive Protected Materials) the party intends to offer. If a court reporter will transcribe the hearing, the parties **SHALL**, after consulting the court reporter about how to do so, provide *the record copy* of its exhibits instead to the court reporter, along with the party's witness list and exhibit list.
- The parties **SHALL** exchange a marked copy of all exhibits not containing Protected Materials or Highly Sensitive Protected Materials that they intend to offer at the hearing. In compliance with 16 Texas Administrative Code § 22.71(d) and the Protective Order, any party intending to offer exhibits containing Protected Materials or

Highly Sensitive Protected Materials **SHALL** also provide those exhibits to the other parties who have signed the Protective Order.⁴

All exhibits **SHALL** be marked with the offering party's name and the exhibit number. Exhibits should be numbered sequentially, and multipage documents shall be paginated or Bates-stamped. Exhibits not meeting a requirement in this order may not be admitted into the record absent good cause.

Prior to the hearing, the parties **SHALL** provide to witnesses all documents necessary for effective participation in the hearing. Parties should also speak to the witnesses they intend to call to testify and provide them the necessary videoconferencing information.

II. REQUIRING CLARIFICATION

In the agreed proposed procedural schedule, the parties included two separate dates to serve as the deadline to file objections to Staff's and Intervenors' cross-rebuttal testimony and objections (February 23 and March 9). The parties shall confer with each other and file an agreed status update indicating which deadline should be adopted and govern in this proceeding.

⁴ The parties may agree among themselves on the method of delivery to each other and may agree to forgo delivery to each other of marked copies of exhibits they have already received, relying on the exhibit lists to identify the offering party and exhibit number.

III. SETTING AND PROVIDING INSTRUCTIONS FOR HEARING

The ALJ will convene the hearing on the merits **on April 26, 2023, at 9:00 a.m. via Zoom**. The hearing is set for two days.

You may access information for participating in a zoom meeting at www.zoom.us under the “support” tab.

To access the hearing, go to <https://soah-texas.zoomgov.com/> or the Zoom application on your mobile device, then select “Join a Meeting” and enter the following information when prompted:

Meeting ID: 160 614 2352

Passcode: PUC996

To participate by telephone only or if you are unable to access audio once you have joined the hearing, you can access audio by calling either number below and entering the following Meeting ID and passcode. Note that the passcode to join by telephone is different than the passcode to join via a computer or smart device.

(669) 254-5252 or (646) 828-7666

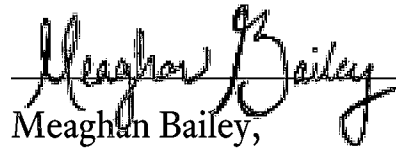
Meeting ID: 160 614 2352

Passcode: 717352

A person who experiences technical difficulties with joining the hearing should contact SOAH's Docketing Division at (512) 475-4993, or the ALJs' legal secretary, Nadia Martinez, at 512-936-0724. SOAH support personnel are not authorized to provide advice or interpret orders or other legal requirements for the parties.

SIGNED SEPTEMBER 28, 2022

ALJ Signature(s):

A handwritten signature in cursive script, reading "Meaghan Bailey", written over a horizontal line.

Meaghan Bailey,

Administrative Law Judge

A handwritten signature in cursive script, reading "Daniel Wiseman", written over a horizontal line.

Daniel Wiseman,

Administrative Law Judge