

Filing Receipt

Received - 2022-11-04 11:39:12 AM Control Number - 53719 ItemNumber - 288

SOAH DOCKET NO. 473-22-04394 PUC DOCKET NO. 53719

ENTERGY TEXAS, INC.'S STATEMENT \$ BEFORE THE STATE OFFICE OF INTENT AND APPLICATION FOR AUTHORITY TO CHANGE RATES \$ ADMINISTRATIVE HEARINGS

ENTERGY TEXAS, INC.'S REQUEST FOR STATUS UPDATE

Entergy Texas, Inc. ("ETI" or the "Company") hereby requests that the State Office of Administrative Hearings ("SOAH") Administrative Law Judges ("ALJs") direct the Staff of the Public Utility Commission of Texas ("Staff") to provide the ALJs and parties to this proceeding an update that includes a date certain by which Staff will file any further direct testimony in this case.

On July 26, 2022, ETI filed on behalf of the parties an unopposed procedural schedule. On July 27, 2022, the SOAH ALJs issued their Order Memorializing Prehearing Conference; Adopting Procedural Schedule; and Setting Hearing on the Merits. That Order established the procedural schedule for this case, which included the unopposed deadline of November 2, 2022, for Staff to file direct testimony, which was one week after the deadline for Intervenors to file direct testimony.

On November 2, 2022, Staff filed multiple pieces of direct testimony, but also filed a letter to the ALJs stating, "This letter is to notify you that Commission Staff will be filing the direct testimony of Ethan Blanchard addressing cost allocation and rate design late but as soon as possible. . . . When Commission Staff files Mr. Blanchard's direct testimony, it will include a motion for leave to file late testimony." That testimony has yet to be filed.

ETI is concerned that further delay in receiving Staff's testimony will prejudice all parties that need to review and respond to that testimony by the rebuttal and cross-rebuttal testimony deadline of November 16, 2022. Accordingly, ETI respectfully requests that the ALJs direct Staff to provide the ALJs and parties to this proceeding an update that includes a date certain by which Staff will file any further direct testimony in this case. ETI reserves all rights to respond to any motion for leave to file late testimony that may be forthcoming.

Dated: November 4, 2022

Respectfully submitted,

George G. Hoyt, SBN: 24049270

Laura B. Kennedy

Kristen Yates

Entergy Services, LLC

919 Congress Avenue, Suite 701

Austin, Texas 78701

(512) 487-3945

(512) 487-3958 (fax)

ghoyt90@entergy.com

lkenn95@entergy.com

kyates1@entergy.com

Lino Mendiola III

Michael A. Boldt

Cathy Garza

EVERSHEDS SUTHERLAND (US) LLP

600 Congress Avenue, Suite 2000

Austin, Texas 78701

(512) 721-2700

(512) 721-2656 (fax)

linomendiola@eversheds-sutherland.com michealbolt@eversheds-sutherland.com cathygarza@eversheds-sutherland.com

Scott R. Olson

Patrick Pearsall

Stephanie Green

DUGGINS WREN MANN & ROMERO, LLP

600 Congress, Suite 1900

Austin, Texas 78701

(512) 744-9300

(512) 744-9399 (fax)

solson@dwmrlaw.com

ppearsall@dwmrlaw.com

sgreen@dwmrlaw.com

 ε

ATTORNEYS FOR ENTERGY TEXAS, INC

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of November 2022, a true and correct copy of the foregoing document was served on all parties of record in this proceeding.

George G. Hoyt