



## Filing Receipt

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**BEFORE THE**  
**STATE OFFICE OF ADMINISTRATIVE**  
**HEARINGS**

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**APPLICATION OF ENTERGY TEXAS, INC.**  
**FOR AUTHORITY TO CHANGE RATES**

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**SOAH ORDER NO. 11**  
**MEMORIALIZING PREHEARING CONFERENCE AND**  
**GRANTING MOTIONS TO CONSOLIDATE**

A prehearing conference convened on December 1, 2022. Appearing through counsel were applicant, Entergy Texas, Inc. (ETI); Texas Industrial Energy Consumers (TIEC); Cities;<sup>1</sup> El Paso Electric Company; The Kroger Co.; Federal Executive Agencies; Walmart, Inc.; Sierra Club; Flash Parking, Inc. (Flash Parking); ChargePoint, Inc. (ChargePoint); Sempra Infrastructure Partners, LP.; Americans for Affordable Clean Energy (AACE); Office of Public Utility Counsel;

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<sup>1</sup> “Cities” is a party comprised of the following cities: Anahuac, Beaumont, Bridge City, Cleveland, Dayton, Groves, Houston, Huntsville, Liberty, Montgomery, Navasota, Nederland, Oak Ridge North, Orange, Pine Forest, Pinchurst, Port Arthur, Port Neches, Roman Forest, Rose City, Shenandoah, Silsbee, Sour Lake, Splendora, Vidor, West Orange, and Willis.

and Staff of the Public Utility Commission of Texas. This order addresses the issues discussed.

## **I. RATE CASE EXPENSES**

ETI proposed addressing the issue of rate case expenses at a separate hearing from the hearing on the merits, and hearing that issue at a later date, if requested by parties, to enable parties to file supplemental direct testimony on that topic. The proposal is **ADOPTED**, and affected parties are directed to file a joint proposed procedural schedule by **December 23, 2022**, to address final updates and testimony on rate-case expenses.

## **II. WRITTEN SUBMISSION FOR ISSUE NOS. 68 AND 69**

ETI proposed having Issue Nos. 68 and 69 from the Preliminary Order decided on written submission. The proposal is **ADOPTED**.

Because the ALJs will decide the issue on exhibits entered at the hearing, the following witnesses that filed direct testimony solely on these issues are excused from participating in the hearing:

- Samantha Hill, of ETI;
- Jeremiah Cunningham, of Southwestern Public Service Company (SPS);
- Matthew McCaffree, of Flash Parking, Inc. (Flash Parking);

- William Abbott, of Staff of the Public Utility Commission of Texas; and
- Justin Wilson, of ChargePoint, Inc. (ChargePoint).

The witnesses that filed direct testimony on Issue Nos. 68 and 69 in addition to other issues are not excused from participation in the hearing, but will not be cross-examined on testimony they filed related to Issue Nos. 68 and 69. Additionally, the parties that intervened solely to opine on Issue Nos. 68 and 69 are excused from participating in the hearing.

### **III. BRIEFING OUTLINE DEADLINE**

TIEC proposed an extension of the deadline to file a briefing outline to December 16, 2022. No party objected. TIEC's proposal is **ADOPTED**, and the briefing outline is due on **December 16, 2022**.

### **IV. APPEALS OF MUNICIPAL DECISIONS**

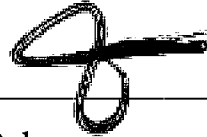
Entergy Texas, Inc. (ETI) filed its Seventh, Eighth, Ninth, and Tenth Petitions for Review of Municipal Ordinances and Motion to Consolidate (Petitions). ETI asserts that the municipalities of Dayton, Sour Lake, Port Neches, Navasota, Orange, Liberty, Pinehurst, Port Arthur, Anahuac, Bridge City, Rose City, Vidor, and Roman Forest (collectively, Municipalities) in which it operates denied ETI's requested rate change. In its Petitions, ETI appeals the Municipalities' decisions and requests that the appeals be consolidated with this rate case to promote regulatory efficiency, stating that the appeals involve common

questions of law and fact to those in this proceeding. No objections were filed, nor were any lodged during the prehearing conference held on December 1, 2022. ETI's Petitions are **GRANTED**, and the appeals of the Municipalities' denials of the requested rates are **CONSOLIDATED** for review with this docket.


**Signed December 1, 2022**



Rachelle Nicolette Robles,  
Administrative Law Judge



Vasu Behara,  
Administrative Law Judge



Christiaan Siano,  
Administrative Law Judge