



Filing Receipt

Received - 2022-12-09 02:13:34 PM
Control Number - 53719
ItemNumber - 432

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

APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO CHANGE RATES	§ § §	STATE OFFICE OF ADMINISTRATIVE HEARINGS
---	----------------------	--

FIRST SETTLEMENT STATUS REPORT AND MOTION TO ABATE

As directed by the State Office of Administrative Hearing (“SOAH”) Administrative Law Judges (“ALJs”), Entergy Texas, Inc. (“ETI”) files this First Settlement Status Report and Motion to Abate on behalf the parties to this proceeding. ETI is authorized to represent that all parties support the relief requested herein.

Settlement Status Report and Motion to Abate

The parties continue to work to reach a final settlement in this proceeding and develop settlement documents to be filed in this docket. The parties need additional time to complete these tasks and support continued abatement of the hearing on the merits. Accordingly, the parties hereby respectfully request that the SOAH ALJs continue the abatement of the hearing on the merits in this proceeding.

Unless directed otherwise and until the parties are able to reach a final settlement and file settlement documents in this docket, the parties intend to file additional settlement status reports weekly.

Rate Case Expenses

It is possible the anticipated settlement agreement to be filed by the parties will resolve all issues related to ETI’s recovery of rate case expenses associated with this proceeding and Docket No. 49916, ETI’s 2019 fuel reconciliation. If settlement regarding rate case expenses is not reached by December 23, 2022, consistent with SOAH Order No. 11, the parties will file a joint

proposed procedural schedule by December 23, 2022, to address final updates and testimony on rate-case expenses.

Preliminary Order Issue Nos. 68 and 69

In SOAH Order No. 11, the SOAH ALJs adopted the parties' proposal that Issue Nos. 68 and 69 be decided on written submission. As soon as practical, the parties intend to file a joint motion to admit evidence, which will include all pre-filed evidence to be admitted in this proceeding, including the evidence related to Preliminary Order Issue Nos. 68 and 69. SOAH Order No. 11 also adopted a proposal for the parties to file a general briefing outline by December 16, 2022. Accordingly, the parties plan to submit a briefing outline (now limited to Preliminary Order Issue Nos. 68 and 69) by December 16, 2022. As part of that submission, the parties will attempt to reach agreement on and include a proposed briefing schedule.

Conclusion and Request for Relief

In accordance with the forgoing, the parties respectfully request their motion to continue abatement of the hearing on the merits be granted and the processes outlines above for addressing rate case expenses and Preliminary Order Issue Nos. 68 and 69 be adopted.

Dated: December 9, 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

ATTORNEYS FOR ENTERGY TEXAS, INC

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December 2022, a true and correct copy of the foregoing document was served on all parties of record in this proceeding.

A handwritten signature in black ink, appearing to read 'G. G. Hoyt', written over a horizontal line.

George G. Hoyt