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

MOTION TO INTERVENE OF THE KROGER CO.

The Kroger Co. (“Kroger”), pursuant to the Public Utility Regulatory Act (“PURA”), Tex. Utility Code Ann. Section 11.001 et. seq, and Sections 22.102, 22.103(b) and 22.104 of the Public Utility Commission of Texas (“Commission”) Rules of Practice and Procedures, hereby files this Motion to Intervene in the above-captioned proceeding. In support of its Motion, Kroger states the following.

1. The names and addresses of the attorneys and consultants representing Kroger are:

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2. Kroger is a corporation engaged in the business of selling groceries at retail throughout the United States.

3. On July 1, 2022, Entergy Texas, Inc. (“Entergy” or “Company”) filed an Application for Authority to Change Rates.

4. Kroger is one of the largest retail food companies in the United States, Kroger operates numerous grocery stores and other facilities in the state of Texas. These stores purchase millions of kWh of electricity from the Company annually. The grocery stores operated by Kroger are high load factor facilities that use energy for food storage, lighting, heating, cooling and distribution, often on a 24 hour a day, 7 day a week basis. If the Company’s application is granted, then the cost for electric power service to Kroger could be substantially impacted. Accordingly, Kroger has a substantial and vital interest in the outcome of this proceeding which cannot be adequately represented by any other party. Kroger intends to present evidence related to revenue requirements, rate design and revenue allocation.

5. Kroger believes that its intervention will not prejudice any of the parties to this matter. Kroger accepts the record as it stands.

WHEREFORE, for the reasons set forth above, Kroger requests that this Motion to Intervene be granted.

/s/Kurt J. Boehm

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August 10, 2022

CERTIFICATE OF SERVICE

I hereby certify that true copy of the foregoing was served on all parties of record in this proceeding on this 10th day of August, 2022 by electronic mail, facsimile, and/or First Class mail.

/s/ Kurt J. Boehm

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.