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**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

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

SOAH ORDER NO. 3

**GRANTING MOTIONS TO INTERVENE; CONSOLIDATING MUNICIPAL
APPEALS; AND DENYING MOTION TO COMPEL**

I. MOTIONS TO INTERVENE

On August 10, 2022, The Kroger Co. filed a motion to intervene. On August 11, 2022, the United States Department of Energy (DOE), on behalf of itself and all other affected Federal Executive Agencies (FEA), filed a motion to intervene. On August 15, 2022, Walmart, Inc., FlashParking, Inc., and Sierra Club filed motions to intervene. No objections were filed. The motions to intervene are **GRANTED**.

Counsel for DOE/FEA requested a waiver of the *pro hac vice* requirement. No objections were filed. DOE/FEA's motion is **GRANTED**.

II. APPEALS OF MUNICIPAL DECISIONS

On July 29, 2022, and August 10, 2022, Entergy Texas, Inc. (ETI) filed its First and Second Petitions for Review of Municipal Ordinances and Motion to Consolidate (Petitions). ETI asserts that the Cities/Towns of Hearne, Patton Village, Daisetta, Madisonville, Bedias, Kosse, New Waverly, Somerville, Iola, Anderson, Todd Mission, Trinity, Franklin, Ames, Caldwell, Colmesneil, Bremond, Taylor Landing, Midway, Groveton, Woodbranch Village, Calvert, Woodloch, Nome, Riverside, Woodville, and Lumberton (collectively, Cities) in which it operates denied ETI's requested rate change. In its Petitions, ETI appeals the Cities' 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. ETI's Petitions are **GRANTED**, and the appeals of the Cities' denials of the requested rates are **CONSOLIDATED** for review with this docket.

III. MOTION TO COMPEL

On August 5, 2022, the Office of Public Utility Counsel (OPUC) filed a motion to compel ETI to respond to OPUC's Request for Information (RFI) 1-14. On August 12, 2022, ETI filed an untimely response to OPUC's motion to compel.

ETI objects to OPUC's RFI 1-14, which states:

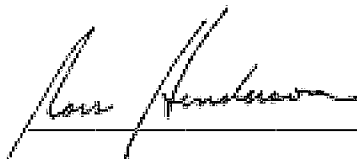
Please refer to the Direct Testimony of Ms. Lofton, pages 22-23. Please provide a schedule that shows the adjustment to plant in service to remove all financially based incentive compensation by year for each of the years since Docket No. 39896. Please provide this information by FERC account. Also, please provide all underlying workpapers which show the calculation of the adjustment by year.

OPUC requests historical information regarding ETI's treatment of financially based incentive compensation, from Docket No. 39896, ETI's last fully litigated rate case, going forward to the ETI's current rate case application. It justifies its request by reasoning that it will allow OPUC to be able to "compare and determine if there is an evolution in ETI's treatment" of this issue.

However, the information sought is not relevant to this case, as the material requested lies outside of the relevant timeframe that is the subject of this application. Thus, OPUC's motion to compel a response to OPUC RFI 1-14 is **DENIED**.

SIGNED AUGUST 19, 2022

ALJ Signature:

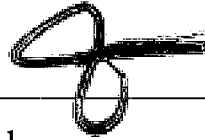
A handwritten signature in black ink, appearing to read "Ross Henderson", written over a horizontal line.

Ross Henderson,

Presiding Administrative Law Judge



Rachelle Nicolette Robles,
Co-Presiding Administrative Law Judge



Vasu Behara,
Co-Presiding Administrative Law Judge