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PETITION FOR RULEMAKING	§	
OF LONE STAR CHAPTER OF	§	
THE SIERRA CLUB TO AMEND	§	PUBLIC UTILITY COMMISSION
16 TAC § 25.181 (ENERGY	§	
EFFICIENCY GOAL) AND § 25.182	§	OF TEXAS
(ENERGY EFFICIENCY COST	§	
RECOVERY FACTOR)	§	

AEP COMPANIES’ COMMENTS ON PETITION FOR RULEMAKING

AEP Texas Inc. (AEP Texas) and Southwestern Electric Power Company (SWEPCO) (collectively, the AEP Companies) provide the following comments regarding the petition of Sierra Club for rulemaking to amend 16 TAC §§ 25.181 and 25.182, relating to Energy Efficiency Goal and Energy Efficiency Cost Recovery Factor, respectively. The AEP Companies are investor-owned utilities (IOUs) responsible for administering energy efficiency programs under 16 TAC §25.181 and 25.182. Based on Energy Efficiency Plan and Report (EEPR) filings by the AEP Companies, program activities in 2021 reduced peak demand by more than 50 MW and reduced energy consumption by 100 GWh for the year. As IOUs responsible for administering energy efficiency programs, the AEP Companies appreciate the opportunity to comment on this matter.

I. Comments

On August 10, 2022, Sierra Club submitted a petition for rulemaking to the Commission.¹ According to its procedural rules, the Commission has 60 days to deny the petition in writing, stating its reasons for the denial, or to initiate a rulemaking proceeding.² The AEP Companies recommend the Commission deny this petition. If the Commission deems there to be merit in opening one or more of the rules for revision, the AEP Companies respectfully submit that the Commission could initiate a rulemaking at a time of its choosing, with proposed rule revisions of its own. Additionally,

¹ *Review of Wholesale Electric Market Design*, Project No. 52373, Petition of Lone Star Chapter of the Sierra Club to Initiate Rulemaking to Amend PUC Subst. 25.181 (Energy Efficiency Goal) and 25.182 (Energy Efficiency Cost Recovery Factor) (Aug. 10, 2022). Sierra Club’s petition was moved to Project No. 53971 on August 17, 2022.

² 16 TAC § 22.281(a)(3).

the AEP Companies understand a public meeting will be convened October 18, 2022, at which one of the agenda items will be a stakeholder input session for amendments to 16 TAC § 25.181 and 25.182, if opened. It would be advantageous to obtain and consider such input before starting the clock on a rulemaking proceeding.³

II. Conclusion

For the reasons stated above, the AEP Companies respectfully recommend the Commission deny this petition. The AEP Companies appreciate the opportunity to comment on this matter.

Respectfully submitted,

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ON BEHALF OF AEP TEXAS INC. AND
SOUTHWESTERN ELECTRIC POWER
COMPANY

³ 16 TAC § 22.282(f) allows the Commission six months from the date of publication of the proposed rule to decide the matter.