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BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS

APPLICATION OF AEP TEXAS INC. TO ADJUST ITS ENERGY
EFFICIENCY COST RECOVERY FACTOR AND RELATED
RELIEF

SOAH ORDER NO. 1
DESCRIPTION OF CASE; FILING DEADLINES; PROTECTIVE ORDER;
CONDITIONALLY ADOPTING PROCEDURAL SCHEDULE; OTHER
PROCEDURES

I. DESCRIPTION OF CASE

On June 1, 2023, AEP Texas Inc. (AEP Texas) filed an application to adjust its energy efficiency cost recovery factor (EECRF) and for other related relief pursuant to 16 Texas Administrative Code (TAC) §§ 25.181 and .182. The Public Utility Commission of Texas (Commission) has jurisdiction over this application pursuant to Texas Utilities Code § 39.905. On June 2, 2023, the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue

a proposal for decision (PFD), if such is necessary, and provided a preliminary order listing the issues to be addressed in this docket. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Texas Utilities Code § 14.053 and Texas Government Code § 2003.049.

II. COMMENTS ON SUFFICIENCY

Commission staff (Staff) shall, and any other party may, file its comments on the sufficiency of AEP Texas's proposed notice no later than **June 9, 2023**. If Staff finds the proposed notice sufficient, AEP Texas shall immediately commence providing notice. Upon completion, proof of notice shall be filed with the Commission.

Staff shall, and any other party may, file its comments on the sufficiency of AEP Texas's application for purposes of further review no later than **June 15, 2023**.

III. PROTECTIVE ORDER

The Commission's standard protective order, filed as Attachment B to AEP Texas's application, is ADOPTED and applies to this case.

IV. PROCEDURAL SCHEDULE

In its application, AEP Texas proposes a procedural schedule. Having reviewed the schedule, the ALJ finds that it complies with the time limits in 16 TAC section 25.182(d)(9)(D) and (E). The procedural schedule is **CONDITIONALLY ADOPTED**, as set out below, if no alternative schedule is proposed **within ten days of this order**:

Event	Deadline
Notice Completed	June 8, 2023
Proof of Notice	June 15, 2023
Intervention Deadline	July 3, 2023
Request for Hearing	July 3, 2023
	<u>If No Hearing Requested</u>
Staff Recommendation	July 21, 2023
Parties' Proposed Order	July 28, 2023
	<u>If Hearing Requested</u>
End of Discovery on AEP Texas Direct	July 6, 2023
Objections to AEP Texas Direct	July 6, 2023
Intervenor Direct Testimony	July 7, 2023
Replies to Objections to AEP Texas Direct Testimony	July 13, 2023
Objections to Intervenor Direct	July 14, 2023
Staff Direct Testimony	July 14, 2023
End of Discovery on Intervenor Direct	July 14, 2023
End of Discovery on Staff Direct	July 21, 2023
Replies to Objections to Intervenor Direct	July 21, 2023
Objections to Staff Direct Testimony	July 21, 2023
Discovery Responses on Intervenor Direct	July 21, 2023
AEP Texas Rebuttal and Cross-Rebuttal Testimony	July 26, 2023
Discovery Responses on Staff Direct	July 26, 2023
Hearing on the Merits (by Zoom)	August 9, 2023

A hearing will be set only if requested by July 3, 2023.

V. DISCOVERY AND OTHER PROCEDURAL MATTERS

Discovery may begin immediately pursuant to subchapter H of the Commission's procedural rules. The following deadlines shall apply to discovery matters in this case:

1. Responses to requests for information (RFIs) shall be filed within **10 calendar days** of receipt;
2. Objections to RFIs shall be filed within **five working days** of receipt;
3. Motions to compel shall be filed within **two working days** of receipt of objections; and
4. Responses to motions to compel shall be filed within **two working days** of receipt.

Because this case has a regulatory deadline, unless otherwise specified, responses to any motion or other pleading shall be filed with **three working days** from receipt of the pleading to which the response is made.

All documents shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. Both the SOAH and Commission docket numbers must be included in the caption of all documents or other correspondence filed in this case. Parties wishing to hand-deliver a file- stamped copy of a document to the ALJ (such as protected material not available on the Commission interchange) should deliver it

to Room 504, 5th Floor, William P. Clements Building, 300 West 15th Street,
Austin, Texas.

Signed June 5, 2023

A handwritten signature in black ink, appearing to read 'Christiaan Siano', is written over a horizontal line.

Christiaan Siano
Presiding Administrative Law Judge