



Filing Receipt

Filing Date - 2023-06-09 12:02:10 PM

Control Number - 55094

Item Number - 6

**SOAH DOCKET NO. 473-23-20742
PUC DOCKET NO. 55094**

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

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF PROPOSED
NOTICE**

On June 1, 2023, AEP Texas, Inc. (AEP Texas) filed an application to adjust its energy efficiency cost recovery factor (EECRF) for program year 2024 under Public Utility Regulatory Act (PURA) § 39.905 and 16 Texas Administrative Code (TAC) § 25.181-.182. On June 2, 2023, the Public Utility Commission of Texas (Commission) issued an Order of Referral, referring this matter to the State Office of Administrative Hearings (SOAH).

On June 6, 2023, the SOAH administrative law judge (ALJ) filed SOAH Order No. 1, directing the Staff (Staff) of the Commission to file comments on the sufficiency of the proposed notice by June 9, 2023. Therefore, this pleading is timely filed.

I. COMMENTS REGARDING SUFFICIENCY OF PROPOSED NOTICE

Staff has reviewed the proposed form and method of notice filed by AEP Texas in its application and finds that the notice satisfies the requirements under 16 TAC § 25.182(d)(13). Specifically, AEP Texas proposed to provide direct notice to: (1) all parties of record in AEP Texas’ most recently completed base rate case (PUC Docket No. 49494¹); (2) all parties of record in AEP Texas’ most recently completed EECRF docket (PUC Docket No. 53769²); (3) the Texas Department of Housing and Community Affairs and (4) all retail electric providers (REPs) in Texas by e-mail in accordance with the Second Order Suspending Rules issued in Project No. 50664. Staff recommends that the method and form of notice proposed by AEP Texas is sufficient.

II. CONCLUSION

Staff respectfully requests that an order be issued finding AEP Texas’ proposed notice as sufficient.

¹ *Application of AEP Texas Inc. for Authority to Change Rates*, Docket No. 49494 (Apr. 6, 2020).

² *Application of AEP Texas, Inc. to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief*, Docket No. 53679 (June 1, 2022).

Dated: June 9, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Wagley
Interim Division Director

Sneha Patel
Managing Attorney



Rachel Seshan
State Bar No. 24033178
Forrest Smith
State Bar No. 24093643
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7288
(512) 936-7268 (facsimile)
Rachel.Seshan@puc.texas.gov

**SOAH DOCKET NO. 473-23-20742
PUC DOCKET NO. 55094**

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on June 9, 2023, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Rachel Seshan
Rachel Seshan