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**SOAH DOCKET NO. 473-24-17667
PUC DOCKET NO. 56544**

APPLICATION OF ENTERGY TEXAS, INC. TO ADJUST ITS ENERGY EFFICIENCY COST RECOVERY FACTOR	§ § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF NOTICE
AND APPLICATION**

On May 1, 2024, Entergy Texas, Inc. (ETI) filed an application to adjust its energy-efficiency cost recovery factor (EECRF) and related relief for program year 2025 in accordance with Public Utility Regulatory Act (PURA)¹ § 39.905 and 16 Texas Administrative Code (TAC) § 25.182.

On May 6, 2024, the State Office of Administrative Hearings (SOAH) administrative law judge (ALJ) filed SOAH Order No. 1, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the sufficiency of ETI’s application and notice no later than noon on May 17, 2024. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON SUFFICIENCY

Staff has reviewed the application and has not identified any deficiencies. This recommendation does not address the merits of the application.

II. RECOMMENDATION ON NOTICE

Staff has reviewed the proposed notice filed by ETI and recommends that ETI’s notice satisfies the requirements under 16 Texas Administrative Code (TAC) § 25.182(d)(13). In accordance with 16 TAC § 25.182(d)(13), ETI proposed to provide notice to: (1) all parties of record to ETI’s most recently completed EECRF docket, Docket No. 56544; (2) all retail electric providers (REPs) in ETI’s service area at the time the EECRF application was filed; (3) all parties that participated in ETI’s most recent base rate case, Docket No. 51415; and (4) the state agency that administers the federal weatherization program, which is the Texas Department of Housing and Community Affairs (TDHCA). The proposed form of notice included in ETI’s application satisfies 16 TAC § 25.182(d)(13), which describes reasonable notice as “a general description of the application and

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.017.

the docket number assigned to the application.” Staff notes that there are no REPs authorized to provide service in ETI’s service area, so no REPs were served with notice.

In addition, Staff reviewed the Affidavit of Panagiotis Papadakis filed by ETI on May 4, 2024, wherein ETI affirms that on May 1, 2024, it provided notice to (1) each party that participated in its last EECRF docket (Docket No. 54938), (2) all parties that participated in ETI’s most recent base-rate case (Docket No. 53719), and (3) the state agency that administers the federal weatherization program by electronic mail. Therefore, Staff recommends that ETI’s application and notice be found sufficient.

III. CONCLUSION

Staff respectfully requests the issuance of an order finding ETI’s application and the form and proof of its notice sufficient.

Dated: May 17, 2024

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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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 May 17, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Dylan King
Dylan King