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**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**APPLICATION OF SOUTHWESTERN ELECTRIC POWER
COMPANY FOR APPROVAL TO AMEND ITS TRANSMISSION
COST RECOVERY FACTOR**

SOAH ORDER NO. 1

**PROJECT DESCRIPTION; JURISDICTION AND INTERVENTION
DEADLINE; SUSPENDED EFFECTIVE DATE; COMMENTS ON
SUFFICIENCY OF APPLICATION AND NOTICE; SETTING PREHEARING
CONFERENCE; ADOPTING PROTECTIVE ORDER; AND GENERAL
PROCEDURAL REQUIREMENTS**

I. PROJECT DESCRIPTION

On March 14, 2025, Southwestern Electric Power Company (SWEPCO) filed an application with the Public Utility Commission of Texas (Commission)

seeking to amend its transmission cost recovery factor (TCRF) under Public Utility Regulatory Act (PURA) § 36.209 and 16 Texas Administrative Code § 25.239.

II. JURISDICTION AND INTERVENTION DEADLINE

On March 17, 2025, the Commission issued its Order of Referral and Preliminary Order, referring this matter to the State Office of Administrative Hearings (SOAH) and requesting the assignment of a SOAH Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision (PFD), if necessary. In the Preliminary Order, the Commission also set forth the issues to be addressed in this proceeding.

The Commission has jurisdiction over this proceeding pursuant to PURA §§ 14.001, 32.001, 36.001, and 36.209. SOAH has jurisdiction over all matters relating to the conduct of the hearing in this proceeding pursuant to PURA § 14.053 and Texas Government Code § 2003.049.

As noted in the Commission's Preliminary Order, **the intervention deadline is April 28, 2025.**

III. SUSPENDED EFFECTIVE DATE

SWEPSCO proposed that its requested change become effective April 18, 2025—or 35 days after the application filing date of March 14, 2025. The

ALJ suspends SWEPCO's effective date for its proposed TCRF until August 16, 2025—or 120 days after the requested effective date.¹

IV. COMMENTS ON SUFFICIENCY OF APPLICATION AND NOTICE

On or before noon on April 1, 2025, Commission Staff or any other party shall file comments and/or a recommendation on the sufficiency of SWEPCO's application and form of notice.

V. SETTING PREHEARING CONFERENCE

A hearing will be held at **10:00 AM (CT) on April 1, 2025**, remotely via Zoom videoconference. 1 Tex. Admin. Code § 155.405(c). Unless SWEPCO retains a court reporter to transcribe the prehearing conference, the audio portion of the hearing will be recorded, and the recording will be the official record of the proceeding. Attend the hearing in one of these ways:

To join by computer or smart device, go to
<https://soah-texas.zoomgov.com> and enter:

Meeting ID: 161 239 6365

Video Passcode: PUC644

To join by telephone (audio only), call
+1 669 254 5252, and enter:

Meeting ID: 161 239 6365

¹ 16 Tex. Admin. Code § 25.241(i).

Telephone Passcode: 056748

A. PURPOSE OF PREHEARING CONFERENCE

The purpose of the prehearing conference, is to discuss the following matters:

1. Any pending motions and other preliminary matters related to the proceeding;
2. A procedural schedule including the scheduling of the hearing on the merits;
3. Procedures to be followed before and during the hearing; and
4. Any other matter that may assist in the disposition of these proceedings in a fair and efficient manner.

B. PROCEDURAL SCHEDULE GUIDELINES

In developing a proposed procedural schedule, the parties shall anticipate a record close date² that:

- ensures the ALJ will have 60 days to write and issue the proposal for decision; and
- provides the Commission with at least 35 days to consider and discuss the PFD at an open meeting and issue a final order prior to SWEPCO's August 16, 2025 suspended effective date.

² The record close date is the date the parties' final post-hearing briefs or proposed findings of fact, conclusions of law, and proposed ordering provisions are due, whichever is later. 1 Tex. Admin. Code § 155.425(c).

VI. ADOPTING PROTECTIVE ORDER

SWEPCO seeks entry of a protective order, attached to its application as Attachment C. The motion is GRANTED, and the identified protective order shall govern this proceeding, unless otherwise ordered. Any objections to the form of the protective order must be filed by within five working days.

VII. GENERAL PROCEDURAL REQUIREMENTS

All Commission filings are available for viewing and downloading from the Commission's Interchange available at <http://interchange.puc.texas.gov/>, by entering the control number PUC 57708 and selecting the "search" tab. A list of documents filed in the applicable docket will appear, which can be accessed by clicking on the document number (with a few exceptions such as confidential documents, if any). The Commission's procedural rules are available on the Commission's website.³ The procedural rules will govern the conduct of this proceeding, and the parties are expected to comply with those rules.

Routine procedural and logistical questions may be directed to the ALJ's administrative assistant Michael Martinez at michael.martinez@soah.texas.gov. SOAH support personnel may not provide advice or interpret law or orders for the parties.

³ The procedural rules are located at: <http://www.puc.texas.gov/agency/rulesnlaws/procrules/Procedural.aspx>.

Except as modified by orders issued in this proceeding by the Commission or SOAH, the Commission's procedural rules govern. The parties should review the Commission and SOAH websites as needed for updates regarding any such modifications.

A. FILING AND SERVICE

Filing of pleadings is governed by Rule 22.71 and service is governed by Rule 22.74. However, under the Commission's Second Order entered in Docket No. 50664, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website (<https://interchange.puc.texas.gov/filer>) and provide notice, by e-mail, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange. **Filings should not be made at SOAH. All filings must contain both the applicable SOAH and PUC docket numbers.**

When a party files a document with the Commission, that party is also required to serve (i.e., provide a copy of that document to) every other party. At this time, service must be accomplished by e-mail. Any party to this proceeding who has not previously provided an e-mail address **SHALL** file a notice informing the parties of the e-mail address to be used for service no later than seven days after the date of this order.

B. MOTIONS

Motions for continuance are governed by Rule 22.79. If a continuance or extension of time is sought, the motion shall propose a range of new dates and state whether the other parties agree. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, a contested motion for continuance or extension is not granted and the existing schedule remains in place.

Unless otherwise specified in the applicable procedural rules, responses to any motion or other pleading shall be filed within five working days from receipt of the motion or pleading. The response shall state the date of receipt of the motion or pleading to which a response is made. If a party does not respond to a motion, the ALJ will assume that the party agrees with the motion or does not oppose the requested relief.

C. DISCOVERY

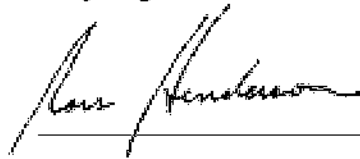
Discovery may begin immediately. Copies of requests for information (RFIs) and objections and responses to RFIs will not be provided to the ALJ. If a party files a motion to compel responses to discovery, the motion shall include every RFI and objection to which the motion applies. Any affidavits supporting an objection, motion to compel, or response shall be attached to the relevant document. The ALJ will resolve discovery disputes based on the written documents, any sworn affidavits attached thereto, and materials, if any, provided for *in camera*

inspection, unless the ALJ concludes that a prehearing conference on the discovery dispute should be held.

If a party seeks *in camera* review of documents in accordance with Rule 22.144(g), it will submit the documents to the ALJ at SOAH. Documents submitted for review should not be filed with the Commission filing clerk. If they are filed with the Commission filing clerk, even inadvertently, the documents may not be physically removed from the Commission. Further, any claim to privilege or exemption may be waived by the filing.

Signed March 18, 2025.

ALJ Signature:

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

Ross Henderson

Presiding Administrative Law Judge

