

PUBLIC UTILITY COMMISSION OF TEXAS

OPEN MEETING AGENDA THURSDAY, JUNE 18, 2015, 9:30 A.M. Commissioners' Hearing Room 7th Floor, William B. Travis Building

The following items will be taken up first without discussion: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 18, 19, 36, 37, 38, 39, 40

The following item will not be taken up: 20, 21

Project No. 43879 - Open Meeting Agenda items without an associated control number.

COMMUNICATIONS

1. Docket No. 43726 - Application of Central Texas Telephone Cooperative, Inc. for True-Up of 2012 Federal Universal Service Fund Impacts to the Texas Universal Service Fund. (Final Order) Irene Montelongo
2. Docket No. 43956 - Application of Blossom Telephone Company for True-Up of 2012 Federal Universal Service Fund Impacts to the Texas Universal Service Fund. (Final Order) Irene Montelongo
3. Docket No. 44054 - Application of Eastex Telephone Cooperative, Inc. for True-Up of 2012 Federal Universal Service Fund Impacts to the Texas Universal Service Fund. (Final Order) Irene Montelongo
4. Docket No. 44366 - Application of Big Bend Telephone Company, Inc. for True-Up of 2012 Federal Universal Service Fund Impacts to the Texas Universal Service Fund. (Final Order) Irene Montelongo
5. Docket No. 44489 - Annual Adjustment to Support from the Small and Rural Incumbent Local Exchange Company Universal Service Plan Pursuant to PURA § 56.032(d). (Final Order) Jeffrey Huhn
6. Discussion and possible action regarding implementation of state and federal legislation affecting telecommunications markets, current and projected rulemaking projects, and Commission priorities.

ELECTRIC

7. Docket No. 44717; SOAH Docket No. 473-15-4118 - Application of AEP Texas Central Company to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief. (Preliminary Order) Lisa Carter
8. Docket No. 44718; SOAH Docket No. 473-15-4119 - Application of AEP Texas North Company to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief. (Preliminary Order) Lisa Carter

OPEN MEETING AGENDA
JUNE 18, 2015

9. Docket No. 44746; SOAH Docket No. 473-15-4089 - Application of Wind Energy Transmission Texas, LLC for Authority to Change Rates and Tariffs. (Preliminary Order) Lisa Carter and John Kramer
10. Docket No. 44778; SOAH Docket No. 473-15-4091 - Application of Texas-New Mexico Power Company to Adjust its Energy Efficiency Cost Recovery Factor. (Preliminary Order) Carlos Carrasco
11. Docket No. 44783; SOAH Docket No. 473-15-4120 - Application of CenterPoint Energy Houston Electric, LLC to Adjust its Energy Efficiency Cost Recovery Factor. (Preliminary Order) John Kramer
12. Docket No. 44784; SOAH Docket No. 473-15-4122 - Application of Oncor Electric Delivery Company, LLC to Adjust its Energy Efficiency Cost Recovery Factor. (Preliminary Order) Davida Dwyer
13. Docket No. 44788; SOAH Docket No. 473-15-4121 - Application of Sharyland Utilities, L.P. to Adjust its Energy Efficiency Cost Recovery Factor and Related Relief. (Preliminary Order) Hannah Turner
14. Docket No. 44698 - Application of Southwestern Public Service Company to Adjust its Energy Efficiency Cost Recovery Factor. (Supplemental Preliminary Order) John Kramer
15. Docket No. 42370; SOAH Docket No. 473-15-0617 - Application of Southwestern Electric Power Company for Rate Case Expenses Severed from P.U.C. Docket No. 40443. (Final Order) Davida Dwyer
16. Docket No. 44289; SOAH Docket No. 473-15-1971 - Application of Southwestern Public Service Company for Authority to Implement Surcharge Associated with Docket No. 42004. (Final Order) Lisa Carter
17. Docket No. 44530 - Agreed Notice of Violation and Settlement Agreement Relating to CPS Energy's Violation of PURA § 39.151(d) and (j), 16 TAC § 25.503(f)(2), and ERCOT Protocols §§ 6.5.7.6.2.3(6), Related to Non-Spinning Reserve Service Deployment, and 8.1.1.4.3(3)(b), Related to Non-Spinning Reserve Service Energy Deployment Criteria. (Final Order) Irene Montelongo
18. Docket No. 44603 - Non-Standard True-Up Filing of Entergy Texas, Inc. Pursuant to the Financing Order in Docket No. 33586. (Final Order) Susan Goodson
19. Docket No. 44727 - Agreed Notice of Violation and Settlement Agreement Relating to Luminant Generation Company LLC's and Big Brown Power Company LLC's Noncompliance with PURA § 39.151, 16 TAC § 25.503(f)(2), ERCOT Protocols § 8.5.1.1, and Operating Guide §§ 2.2.8 and 2.3.1.2, Regarding Primary Frequency Response. (Final Order) Irene Montelongo

OPEN MEETING AGENDA
JUNE 18, 2015

20. Project No. 28073 - P.U.C. Proceeding to Set the System Benefit Fund Fee. (Discussion and possible action) Jay Stone
21. Project No. 28073 - P.U.C. Proceeding to Set the Low-Income Discount. (Discussion and possible action) Jay Stone
22. Project No. 43506 - Review of Subsynchronous Oscillation Study Parameters in the ERCOT Region. (Discussion and possible action) Julia Harvey and Maria Faconti
23. Docket No. 43958 - Application of Entergy Texas, Inc. to Amend its Certificate of Convenience and Necessity and for Public Interest Determination for Purchase of Unit 1, Union Power Station in Union County, Arkansas. (Discussion and possible action)
24. Project No. 40979 - Proceeding to Track Compliance with the Terms and Conditions Set Forth in the Commission's Order Issued in Docket No. 40346 and the NUS, and Associated Studies Arising from the Order and/or NUS. (Discussion and possible action) Margaret Pemberton and Jacob Lawler
25. Project No. 42647 - ERCOT Planning and System Costs Associated with Renewable Resources and New Large DC Ties. (Discussion and possible action)
26. Project No. 41060 - Proceeding to Examine the Inputs Included in the ERCOT Capacity, Demand and Reserves Report. (Discussion and possible action)
27. Project No. 41061 - Rulemaking Regarding Demand Response in the Electric Reliability Council of Texas (ERCOT) Market. (Discussion and possible action)
28. Project No. 42302 - Review of the Reliability Standard in the ERCOT Region. (Discussion and possible action) Julia Harvey and Jason Haas
29. Project No. 40000 - Commission Proceeding to Ensure Resource Adequacy in Texas. (Discussion and possible action) Diana Coleman and Jason Haas
30. Project No. 42750 - Matters Pertaining to or Arising Out of the Chapter 11 Bankruptcy of Energy Future Holdings. (Discussion and possible action) Tom Hunter
31. Project No. 37344 - Information Related to the Entergy Regional State Committee. (Discussion and possible action)
32. Project No. 41210 - Information Related to the Southwest Power Pool Regional State Committee. (Discussion and possible action)
33. Project No. 41211 - Information Related to the Organization of MISO States. (Discussion and possible action)
34. Discussion and possible action on electric reliability; electric market development; ERCOT oversight; transmission planning, construction, and cost recovery in areas

OPEN MEETING AGENDA
JUNE 18, 2015

outside of ERCOT; SPP Regional State Committee and electric reliability standards and organizations arising under federal law.

35. Discussion and possible action regarding implementation of state and federal legislation, affecting electricity markets, current and projected rulemaking projects, and Commission priorities.

WATER

36. Docket No. 43068; SOAH Docket No. 473-15-3741.WS - Application of North Victoria Utilities, Inc. for Rate Change (37952-R). (Preliminary Order) Hannah Turner
37. Docket No. 43078; SOAH Docket No. 473-15-3742.WS - Application of Freemont Water Company for a Water Rate/Tariff Change in Kerr County (37993-R). (Preliminary Order) David Hrcir
38. Docket No. 44485; SOAH Docket No. 473-15-3743.WS - Ratepayers' Appeal of the Decision by the City of Wilmer to Change Rates. (Preliminary Order) Carlos Carrasco
39. Docket No. 44565; SOAH Docket No. 473-15-4090.WS - Complaint of Doug Cotterman Against Woodhollow Apartments. (Preliminary Order) Davida Dwyer
40. Docket No. 42853; SOAH Docket No. 473-15-0073.WS - Protest of the Application for a Water Rate/Tariff Change of SWEA Gardens Estates Utility, Inc. in Harris County, Certificate of Convenience and Necessity No. 11872, Application No. 37765-R. (Final Order) Carlos Carrasco
41. Docket No. 42961; SOAH Docket No. 473-15-0614.WS - Request of Greenwood Water Corporation for Approval of Water Utility Stock Transfer CCN No. 11792. (Final Order) David Dwyer
42. Docket No. 44555 – City of Tyler's Notice of Intent to Provide Sewer Service to Area Decertified from Tall Timbers Utility Company, Inc. in Smith County. (Final Order) Susan Goodson
43. Discussion and possible action regarding implementation of state legislation affecting water and sewer companies, current and projected rulemaking projects, and Commission priorities.

**OPEN MEETING AGENDA
JUNE 18, 2015**

GENERAL

44. Project No. 44710 - Request for Proposals for a Contractor to Assist in the Management and Marketing of the Middle School Energy Conservation Outreach Program. (Delegation of Authority to Executive Director) Brian Lloyd
45. Discussion and possible action regarding agency review by Sunset Advisory Commission, operating budget, strategic plan, appropriations request, project assignments, correspondence, staff reports, agency administrative issues, fiscal matters and personnel policy.
46. Discussion and possible action regarding customer service issues, including but not limited to correspondence and complaint issues.
47. Discussion and possible action on infrastructure reliability, emergency management, and homeland security.
48. Adjournment for closed session to consider one or more of the following items:
 - a. Under Tex. Gov't Code § 551.071(1), contemplated litigation, settlement offers, and pending litigation that includes but is not limited to the following matters:

Texas District Courts

CenturyTel of San Marcos et al. v. Public Utility Commission of Texas, et al., No. D-1-GN-13-001927

City of Austin, Texas v. Public Utility Commission of Texas and State Office of Administrative Hearings and North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control and Improvement District No. 10 and Wells Branch Municipal Utility District, D-1-GN-15-000513, (200th District Court Travis County Texas)

City of San Antonio Acting by and through City Public Service Board a/k/a CPS Energy v. Public Utility Commission, No. D-1-GV-13-000988, Travis County District Court (Appeal of Docket No. 40487)

CTMGT Frisco 113, LLC vs. Oncor Electric Delivery Company, LLC, Rock Hill Enterprises, Ltd., Public Utility Commission of Texas, The Electric Reliability Council of Texas, Inc., Case No. 199-01359-2014 (199th District Court Collin County Texas)

Electric Reliability Council of Texas v. Hwy 3 MHP LLC, Cause No. D-1-GN-09-003607, Travis County District Court

Power Resource Group, Inc. v. Public Utility Commission, No. GN5-02139, Travis County District Court. (Appeal of Docket No. 30172)

Public Utilities Board of the City of Brownsville v. PUC, Travis County District Court, D-1-GV-08-001459. (Appeal of Docket No. 34410)

Texas Appeals Courts

AEP Texas Commercial and Industrial Retail Limited Partnership v. Public Utility Commission, No. 03-13-00358-CV, in the Third Court of Appeals (Appeal of Docket No. 39509)

**OPEN MEETING AGENDA
JUNE 18, 2015**

Entergy Texas, Inc. v. Public Utility Commission No. 03-14-00735-CV in the Third Court of Appeals (Appeal of Docket No. 39896)

Exelon Wind, LLC v. Public Utility Commission, No. 03-13-00084-CV, in the Third Court of Appeals (Appeal of Docket No. 37361)

HWY 3 MHP, LLC v. Electric Reliability Council of Texas (ERCOT), No. 03-14-00303-CV in the Third Court of Appeals

State of Texas Agencies and Institutions of Higher Learning v. Public Utility Commission, -03-11-00072-CV in the Third Court of Appeals (Appeal of Docket No. 35717)

TCEQ Cases

John Soules Foods, Inc. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-14-001749, Travis County District Court.

Marilee Special Utility District v. Texas Commission on Environmental Quality, Cause No. D-1-GN-13-001358, Travis County District Court.

Marilee Special Utility District v. Texas Commission on Environmental Quality, Cause No. D-1-GN-14-000130, Travis County District Court.

Marilee Special Utility District v. Texas Commission on Environmental Quality, Cause No. D-1-GN-14-002461, Travis County District Court

Maxwell Water Supply Corp. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-13-003767, Travis County District Court.

Maxwell Water Supply Corp. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-13-003768, Travis County District Court.

Maxwell Water Supply Corp. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-13-003771, Travis County District Court.

Monarch Utilities/, L.P. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-13-000885, Travis County District Court.

Monarch Utilities/, LP. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-13-001382, Travis County District Court.

Monarch Utilities/, LP. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-13-004187, Travis County District Court.

Monarch Utilities/, L.P. v. Texas Commission on Environmental Quality, Cause No. D-1-GN-14-000249, Travis County District Court.

SJWTX v. Covar, Cause No. D-1-13-003915, Travis County District Court.

Town of Providence Village v. Texas Commission on Environmental Quality, Cause No. D-1-GN-11-002972, Travis County District Court.

Town of Providence Village v. Texas Commission on Environmental Quality, Cause No. D-1-GN-11-003846, Travis County District Court.

Crystal Clear Water Supply Corporation v. Vickery, No. 03-13-00528-CV, Third Court of Appeals

**OPEN MEETING AGENDA
JUNE 18, 2015**

Navarro County Wholesale Ratepayers v. Vickery, Cause No. D-1-GN-12-000226, No. 03-13-00814-CV, in the Third Court of Appeals.

Federal Courts

Aspire Commodities, et al. v. GDF SUEZ Energy North America, et al. No. 15-20125 (United States Court of Appeals for the Fifth Circuit)

Energy Future Holdings Corp., et al., No. 14-10979 (Bankr. D. Del.)

EME Homer City Generation v. Environmental Protection Agency, United States Court of Appeals for the District of Columbia, No. 11-1302 (and consolidated cases) (Transport Rate)

Exelon Wind 1, LLC, formerly known as JD Wind 1, LLC, et al. v. Nelson, et al., No. 12-51228, in the United States Court of Appeals for the Fifth Circuit (Docket No. 34442)

Exelon Wind 1, LLC, et al. v. Nelson, et al., No 1:12-CV-00902-SS, United States District Court, Austin Division

Federal Energy Regulatory Commission v. Electric Power Supply Association, et al., Case No. 14-840 and EnerNoc, Inc. et al., v. Electric Power Supply Association, et al., Case No. 14-841 (United States Supreme Court)

Glacial Energy of Texas, Case No. 14-10845-CSS, United States Bankruptcy Court for the District of Delaware

Occidental Permian Ltd. v. Federal Energy Regulatory Commission, Cause No. 10-1381, DC Circuit Court of Appeals.

Optim Energy, LLC, Case No. 14-10262, United States Bankruptcy Court for the District of Delaware

White Stallion Energy Center, LLC v. U.S. Environmental Protection Agency, Case No. 12-1100

White Stallion Energy Center, LLC v. U.S. Environmental Protection Agency, Case No. 12-1272

EPA

EPA-HQ-OAR-2009-0491 – Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone

FERC

ENERGY

FERC Docket No. ER07-683, Entergy Services, Inc. (System Agreement)

FERC Docket No. ER09-636, Entergy Services, Inc.

FERC Docket No. ER10-2748, Entergy Services, Inc.

FERC Docket No. ER11-1923, Entergy Services, Inc.

FERC Docket No. ER12-1384; ER12-1385; ER12-1386; ER12-1387; ER12-1388; ER12-1390, Entergy Services, Inc. (Powered System Agreement to Include Cancellation Costs of Little Gypsy Gas Plant)

**OPEN MEETING AGENDA
JUNE 18, 2015**

FERC Docket No. ER13-432, Entergy Services, Inc. (Proceeding to Amend Entergy System Agreement Regarding Exiting of Entergy Arkansas and Move to MISO)

FERC Docket No. ER14-73, Entergy Services, Inc. (System Agreement Amendments - load responsibility)

FERC Docket No. ER14-80, Entergy Services, Inc. (System Agreement Amendments - termination date)

FERC Docket No. ER 14-128, Entergy Texas (Notice to exit system agreement)

FERC Docket No. ER 14-1094, Entergy Texas, Inc. (Entergy System Agreement compliant with ER13-432)

FERC Docket No. ER14-1267, Entergy Texas, Inc. (Entergy System Agreement compliant with ER13-432-amended filing)

FERC Docket No. ER14-1644, Entergy Texas, Inc. (Amend MSS-3 to include above-cost PPA)

FERC Docket No. ER 14-1645, Entergy Texas, Inc., Midcontinent Independent System Operator, Inc. (Schedule 47 recovery of MISO transition costs)

FERC Docket No. ER15-1437, Entergy Services, Inc. (Union Power)

FERC Docket No. AC15-70, Entergy Services, Inc. (Union Power)

FERC Docket No. EC15-98, Entergy Services, Inc. (Union Power)

ENTERGY BANDWIDTH

FERC Docket No. EL01-88, Louisiana Public Service Commission v. Entergy Services, Inc. (Bandwidth)

FERC Docket No. ER07-956, Entergy Services, Inc. (Bandwidth)

FERC Docket No. ER08-1056, Entergy Services, Inc. (Bandwidth)

FERC Docket No. ER09-833, Entergy Services, Inc. (Bandwidth)

FERC Docket No. ER09-1224, Entergy Services, Inc. (Bandwidth)

FERC Docket No. ER10-1350, Entergy Services, Inc. (Bandwidth)

FERC Docket No. ER11-3658, Entergy Services, Inc. (Bandwidth)

FERC Docket No. ER12-1920, Entergy Services, Inc. (Bandwidth)

FERC Docket No. EL10-65, Louisiana v. Entergy (Bandwidth)

FERC Docket No. ER13-1595, Entergy Services, Inc. (2012 bandwidth payment)

FERC Docket No. EL14-43, East Texas Cooperative, Sam Rayburn Electric Cooperative, and Tex-La Electric Cooperative v. Entergy (Bandwidth payments)

FERC Docket No. EL14-69, Entergy Texas, Inc. v. East Texas Cooperative, Sam Rayburn Electric Cooperative, and Tex-La Electric Cooperative (Bandwidth payments)

**OPEN MEETING AGENDA
JUNE 18, 2015**

FERC Docket No. ER14-2085, Entergy Services, Inc. (2013 bandwidth payment)

FERC Docket No. ER 15-1826, Entergy Services, Inc. (Bandwidth)

MISO

FERC Docket No. EL11-34, Petition for Declaratory Order and Request for Shortened Notice Period and for Expedited Treatment of the Midwest Independent Transmission System Operator, Inc.

FERC Docket No. EL12-35, Midwest Independent Transmission System Operator, et al.

FERC Docket No. ER12-2682, Midwest Independent Transmission System Operator, Inc.

FERC Docket No. EL13-41, Occidental Chemical Corp v. MISO

FERC Docket No. EL15-66, Entergy Export Customers v. MISO

FERC Docket No. ER13-665 Midwest Independent Transmission System Operator, Inc.'s Section 205 Filing to Revise the Open Access Transmission Energy and Operating Reserve Markets Tariff Provision on Long-Term Transmission Rights to Address Integration of Second Planning Area

FERC Docket No. EL14-21, Southwest Power Pool, Inc. v. Midcontinent Independent System Operator, Inc. (complaint regarding use of SPP's system without compensation as required by JOA)

FERC Docket No. ER14-1174, Southwest Power Pool, Inc. (unexecuted service agreement between SPP and MISO)

FERC Docket No. ER14-1713, Midcontinent Independent System Operator (OATT amendment)

FERC Docket No. ER14-1736, Midcontinent Independent System Operator (OATT amendment)

FERC Docket No. ER14-1940, Midcontinent Independent System Operator (e-tariff update, Schedule 29)

FERC Docket No. ER14-2022, Midcontinent Independent System Operator (Request for waiver to suspend long-term transmission requests)

FERC Docket No. ER14-2445, Midcontinent Independent System Operator (hurdle rate)

OTHER

FERC Docket No. EL12-80, Exelon Wind 1, LLC et al., Petition for Enforcement and Declaratory Order Pursuant to Section 210(h) of the Public Utility Regulatory Policies Act of 1978

FERC Docket No. EL13-61, Exelon Corporation, Exelon Wind 1, LLC, Exelon Wind 2, LLC, Exelon Wind 3, LLC, Exelon Wind 4, LLC, Exelon Wind 5, LLC, Exelon Wind 6, LLC, Exelon Wind 7, LLC, Exelon Wind 8, LLC, Exelon Wind 9, LLC, Exelon Wind 10, LLC, Exelon Wind 11, LLC, High Plains Wind Power, LLC

FERC Docket No. EL14-81, Golden Spread Electric Cooperative, Inc. and Sharyland Utilities, L.P.

FERC Docket No. ER14-2850, Southwest Power Pool, Inc.

FERC Docket No. ER14-2851, Southwest Power Pool, Inc.

**OPEN MEETING AGENDA
JUNE 18, 2015**

- b. Under Tex. Gov't Code § 551.071(2), consultation with its attorneys.
- c. Under Tex. Gov't Code § 551.074, personnel matters, including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, the Deputy Executive Director, the Division Directors or any other public officer or employee of the Commission.
- d. Under Tex. Gov't Code § 551.076, security matter, including deployment and implementation of security personnel or devices or security audits; including matters under Project No. 24729.

Reconvene for discussion and decisions on matters considered in closed session.

Persons planning to attend this meeting who have disabilities requiring auxiliary aids or services should notify the Commission as far in advance as possible so that appropriate arrangements can be made. Requests can be made by mail, telephone or in person to the Commission's Office of Customer Protection, 1701 N. Congress Ave., Austin, Texas 78701, phone number (512) 936-7150 or (512) 936-7136 for the teletypewriter for the deaf.