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PUC DOCKET NO. 43958

APPLICATION OF ENTERGY §
TEXAS, INC. FOR APPROVAL OF AN §
AMENDMENT TO CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
AND FOR PUBLIC INTEREST §
DETERMINATION FOR PURCHASE §
OF UNIT 1, UNION POWER STATION §

2015 JUL 17 PM 1:18
BEFORE THE PUBLIC UTILITY
COMMISSION OF TEXAS

JOINT MOTION FOR DISMISSAL WITH PREJUDICE

Entergy Texas, Inc. (“ETI”) submits this motion pursuant to 16 Tex. Admin. Code 22.181 to withdraw its pending request for a certificate of convenience and necessity (“CCN”) for acquisition of Union Power Station Power Block 1 (“UPS PB1”) from Union Power Partners, L.P. (“UPP”), and related relief. Public Utility Commission of Texas (“Commission”) Staff and all intervenors that filed testimony oppose ETI’s request for a CCN.

ETI is authorized to represent that Commission Staff, Cities, the Office of Public Utility Counsel, State Agencies¹ and Institutions of Higher Education, Texas Industrial Energy Consumers, and East Texas Electric Cooperative, Inc.², join in this motion and request that the Commission’s presiding officer issue an order dismissing this proceeding on an expedited basis (prior to July 22, 2015) so that parties do not need to expend resources to prepare for the hearing on the merits scheduled for July 30, 2015. (Attached Proposed Order) A finding of good cause is not necessary because the dismissal is with prejudice. ETI warrants that, following dismissal of the instant proceeding, ETI does not intend to re-submit an application for a CCN to acquire UPS PB1 from UPP. Further, concurrent with the submission of this motion, ETI will file a notice of withdrawal of its companion request for base rate relief in Docket No. 44704, *Application of Entergy Texas, Inc. for Authority to Change Rates*.

¹ State Agencies provisionally support this Joint Motion but are awaiting final executive approval.

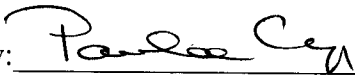
² NRG Power Marketing LLC and Cottonwood Energy Company LP do not oppose this Joint Motion.

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Respectfully submitted,

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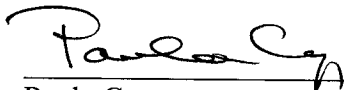
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By: 
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ATTORNEYS FOR ENTERGY TEXAS, INC.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served by email, facsimile, hand-delivery, overnight delivery, or 1st Class U.S. Mail on all parties of record in this proceeding on this 17th day of 2015.


Paula Cyr

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TEXAS, INC. FOR APPROVAL OF AN	§	
AMENDMENT TO CERTIFICATE OF	§	BEFORE THE PUBLIC UTILITY
CONVENIENCE AND NECESSITY	§	
AND FOR PUBLIC INTEREST	§	COMMISSION OF TEXAS
DETERMINATION FOR PURCHASE	§	
OF UNIT 1, UNION POWER STATION	§	

ORDER OF DISMISSAL WITH PREJUDICE

This order addresses Entergy Texas, Inc.'s ("Applicant") request for a certificate of convenience and necessity ("CCN") to acquire Union Power Station Power Block 1 from Union Power Partners, L.P. and for related relief. On July 17, 2015, the Applicant, joined by Commission Staff and other intervenors, filed a joint motion to withdraw its application with prejudice. In the joint motion, Applicant represents that it no longer desires to pursue its requested relief. Applicant further warrants it does not intend to re-submit the requested relief to the Commission. The joint motion is GRANTED. Applicant's application is dismissed with prejudice.

SIGNED AT AUSTIN, TEXAS the _____ day of July 2015.

PUBLIC UTILITY COMMISSION OF TEXAS

ADMINISTRATIVE LAW JUDGE