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SOAH DOCKET NO. 473-17-0647  
PUC DOCKET NO. 46416

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PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF ENERGY	§	BEFORE THE STATE OFFICE
TEXAS, INC. TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY TO CONSTRUCT	§	OF
MONTGOMERY COUNTY POWER	§	
STATION IN MONTGOMERY	§	
COUNTY	§	ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 1  
FILING DESCRIPTION,  
NOTICE OF INITIAL PREHEARING CONFERENCE,  
AND GRANTING PENDING MOTIONS TO INTERVENE**

**I. FILING DESCRIPTION**

Entergy Texas, Inc. (ETI or Company) filed an application on October 7, 2016, to amend its Certificate of Convenience and Necessity (CCN) to construct a new gas-fired generation facility near Willis, Texas, the Montgomery County Power Station (MCPS or Project), in Montgomery County, Texas (Application). The Project involves the proposed construction of a new combined-cycle gas turbine (CCGT) with 993 megawatts (MW) of nameplate capacity. The current cost-estimate of the Project is \$937.3 million, inclusive of the estimated costs of transmission upgrades, contingency, an allowance for funds used during construction, and expenses related to obtaining Commission certification. ETI anticipates that the Project will increase adequate and reliable service to its customers by addressing anticipated capacity deficits, resulting in an expected \$1.7 billion in net benefits to ETI's customers through supply cost savings over the life of the plant.

The Commission referred this case to the State Office of Administrative Hearings (SOAH) on October 11, 2016, requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary.

The Commission has jurisdiction and authority over this proceeding pursuant to §§ 14.001 and 37.051(a), 37.053, 37.056, 37.058(b), and 39.452(j) of the Public Utility

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Regulatory Act (PURA). SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Texas Government Code § 2003.049.

The Commission indicated in the Order of Referral that Staff and any interested party may submit a list of proposed issues by October 21, 2016. The Commission also stated that it will issue a Preliminary Order based on its open meeting currently scheduled for November 10, 2016.

## II. NOTICE OF PREHEARING CONFERENCE

An initial prehearing conference will convene at 10:00 a.m., on October 28, 2016, at SOAH, 300 West 15th Street, 4th Floor, Austin, Texas. At the prehearing conference, the parties should be prepared to discuss: ETI's Application, notice, and request for an intervention deadline;<sup>1</sup> any procedural matter; any pending motions including motions to intervene; any deadlines; the procedural schedule including hearing dates; and any other relevant matter.

## III. GRANTING INTERVENTION REQUESTS

The following requests to intervene are granted: Texas Industrial Energy Consumers (TIEC),<sup>2</sup> and the Office of Public Utility Counsel (OPUC).

SIGNED October 19, 2016.

  
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TRAVIS VICKERY  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

<sup>1</sup> ETI requested an intervention deadline set at 45 days after the filing of the Application.

<sup>2</sup> ETI did not object to TIEC's motion, but rather requested that TIEC maintain a current list of members pursuant to the Commission's rules. This matter can be discussed at the initial prehearing conference.