

APPLICATION OF TEXAS POWER &  
LIGHT COMPANY FOR AUTHORITY  
TO CHANGE RATES

PUBLIC UTILITY COMMISSION  
OF TEXAS

FINAL ORDER

Procedural Statement

On January 4, 1980, Texas Power & Light Company (hereinafter referred to as TP&L) filed with this Commission its Petition for Authority to Change Rates in the areas in which it serves and over which this Commission has jurisdiction. TP&L filed companion cases in each municipality which it serves which has original jurisdiction. Based upon its Petition, the requested increase system-wide was \$124,053,000 or 15.35 percent with a proposed effective date of February 8, 1980.

A prehearing conference was held on January 22, 1980 at which the following parties were granted intervenor status and grouped as follows for purposes of the hearing on the merits.

1. Texas Municipal League (see Cities Exhibit No. 1 for list of cities) represented by Don Butler; City of Waco represented by Earl Bracken; City of Cleburne represented by Robert T. Miller, Jr.; City of Sherman represented by Gregory Humbach; City of Brownwood represented by Bryan Healer;
2. Southwestern Electric Service Company represented by Frank Cain;
3. Community Public Service Company (CPS) represented by Michael G. Shirley;
4. Coalition for Fair Rates represented by J. Michael Ball; Dorothy Lyles, Elsie Cain and Matthew Webb individually and as representatives of similarly situated low-income, elderly customers of TP&L in the Cities of Brownwood, Mineral Wells and Cleburne represented by Geoffrey M. Gay; Community Center of the Stafford-Armstrong Addition of the City of Seagoville represented by Ms. Sheila O'Connor;
5. Texas Industrial Energy Consumers (TIEC) represented by Jonathan Day and Jeffrey Jacobs, and St. Regis Paper Company represented by Ms. Peggy Dobbins;
6. General Services Administration (GSA) represented by William H. Smith and Ms. Mildred Pitts;

8104170635

7. Tex-La Electric Cooperative of Texas, Inc. represented by Fred Ritts and Dick Terrell Brown;
8. Rayburn Country Electric Cooperative, Inc. represented by Earnest Casstevens;
9. Navarro College and Hill Junior College represented by Lawrence Smith.

At the January 22 prehearing conference, the motion of the General Counsel to suspend the effective date of the proposed rate increase for 120 days was granted pursuant to the provisions of TEX.REV.CIV.STAT.ANN. art. 1446c (Supp. 1978) (the Act).

A second prehearing conference was held on February 12, 1980. In addition to rulings on Objections to Requests for Information, the Commission considered and entered rulings on the following motions:

1. Denied motion of Dorothy Lyles, et al. to require TP&L to amend its cost of service study.
2. Denied motion of Dorothy Lyles, et al. to suspend the rule concerning contributions.
3. Denied motion of Dorothy Lyles, et al. for sanctions against TP&L.
4. Denied motion of Dorothy Lyles, et al. to require TP&L to file additional testimony.
5. Denied motion of Dorothy Lyles, et al. for an extension of time to file rate design testimony.
6. Denied motions of Community Center of the Stafford-Armstrong Addition of the City of Seagoville for an extension of time and for sanctions against TP&L.
7. Denied motion of TIEC for the filing of rebuttal testimony.
8. Denied motion of Coalition for Fair Rates for an extension of time to file Requests for Information.

On February 25, 1980, Geoffrey Gay on behalf of Intervenor Dorothy Lyles, et al. filed a Second Motion for Extension of Time to File Rate Design Testimony. The Chairman determined that no additional prehearing conference was necessary to consider such motion and denied the motion without entry of a written Order. Mr. Phil Ricketts, Secretary of the Commission, advised Mr. Gay of such denial.

Brazos Electric Power Cooperative, Inc. filed a Protest to the Application of Texas Power & Light Company to Change Rates.

The hearing on the merits was convened on March 17, 1980 at 9:00 a.m. and was concluded on April 4, 1980. TP&L, the Commission Staff through the General Counsel's Office and all intervenors set forth above were represented by counsel. TP&L, the Commission Staff and all intervenor groups presented testimony and participated in cross-examination. The hearing was bifurcated to the extent of considering testimony of all witnesses related to revenue requirements and subsequently considering testimony of all witnesses related to rate design matters. TP&L offered rebuttal testimony through two witnesses.

At the beginning of the hearing, the Commission considered and denied a Motion to Bifurcate the Proceeding filed by GSA on behalf of the Federal Executive Agencies.

After public hearing, the Commission, based upon evidence elicited at such hearing, applicable law and matters officially noticed, makes the following Conclusion supported by the Findings of Fact and Conclusions of Law set forth herein below:

#### Conclusion

Based upon the evidence in the hearing, TP&L has a test year revenue deficiency of \$83,371,920 and should be allowed to adjust its rates as provided for in this Final Order in order to produce the required revenue to recover its cost of service and to eliminate such deficiency. The underlying Findings of Fact and Conclusions of Law supporting this Conclusion are as follows:

#### Findings of Fact

1. Investor Owned Utility. TP&L is an investor owned utility operating pursuant to a Certificate of Convenience and Necessity issued by this Commission and is subject to the jurisdiction of this Commission for matters presented in this Docket.
2. Original Cost. The original cost of electric plant of TP&L, as of September 30, 1979, is \$2,007,887,307 as claimed by TP&L and as shown on Staff Exhibit 6 (Ex. II, p. 2), which amount the Commission finds to be reasonable. The corresponding provision for accumulated depreciation, claimed by the Company to be \$421,621,343, is reduced by \$108,797 (Staff Exhibit 6, [Ex. II]) for a net electric plant of \$1,586,374,761, which amount the Commission finds to be reasonable.

3. Invested Capital. The invested capital of TP&L is \$1,735,537,059 which is calculated in the following manner:

Net Electric Plant in Service	(FOF #2)	\$1,586,374,761
Construction Work in Progress	(FOF #4)	187,251,585
Nuclear Fuel In Process	(FOF #5)	23,896,607
Plant Held for Future Use	(FOF #6)	3,309,707
Working Capital	(FOF #7)	52,103,323
Accumulated Deferred Federal Income Tax	(FOF #8)	(101,409,798)
Reserve for Insurance and Casualties	(FOF #8)	(1,315,161)
Customer Deposits and Advances	(FOF #8)	(7,545,860)
Other Cost Free Capital	(FOF #8)	(7,128,105)

4. Construction Work in Progress (CWIP). The amount of \$187,251,585 allowed for CWIP consists of approximately 41.5 percent of the cost of all projects set forth in Schedule C-4 (as adjusted) of TP&L's rate filing package. The Commission finds that such amount should be allowed in the invested capital of TP&L to assure that the financial integrity of TP&L will be maintained due to the capital intensive nature of the electric industry and to assure its ability to attract the necessary capital to maintain its program of construction of new generating facilities to meet its customers' demands and to convert to fuels which are more abundant than natural gas and fuel oil.
5. Nuclear Fuel In Process. The amount of \$23,896,607 of nuclear fuel in process as claimed by TP&L is allowed for the reasons that nuclear fuel must be obtained well in advance of use, and the use of such fuel will inure to the benefit of ratepayers in a significant way. (Schedule C, Rate Filing Package)
6. Plant Held for Future Use. The amount of \$3,309,707 of plant held for future use is allowed for the reasons that such property will be utilized for the benefit of future ratepayers and that such property is of such a nature that it is reasonable for it to be acquired well in advance of its use. The cost of Titus County Water Rights (\$180,610) is being excluded because there is no probative evidence that such rights will, in fact, be used. (Staff Exhibit 6, [Ex. II, p. 3])
7. Working Capital. The amount of \$52,103,323 is allowed for reasons that it is the reasonable amount necessary for TP&L to meet its ordinary and usual business needs. (Staff Exhibit 6, [Ex. II, p. 2, 3]) This amount is derived by using the amount requested by TP&L (Schedule G, Rate Filing Package) exclusive of working cash allowance. The working cash allowance, as shown on Staff Exhibit 6 (Ex. II, p. 3 of 3), has been recomputed by reason of adjustments in other operation and maintenance expenses. (FOF #22)

8. **Items Excluded From Rate Base.** Items excluded from TP&L's invested capital are: Accumulated Deferred Federal Income Taxes (\$101,409,798), Reserve for Insurance and Casualties (\$1,315,161), Customer Deposits and Advances (\$7,545,860), and Other Cost Free Capital (\$7,128,105). Each of these items are either provided by customers or for which there are no related capital costs to TP&L except for Other Cost Free Capital. The exclusion of Other Cost Free Capital is for the reasons set forth in Staff Exhibit 6, p. 18.
9. **Stock Ownership.** TP&L is a wholly owned subsidiary of Texas Utilities Company. Other subsidiaries of Texas Utilities Company are Texas Electric Service Company, Dallas Power & Light Company, Texas Utilities Fuel Company, Texas Utilities Generating Company, Texas Utilities Services Inc., Basic Resources, Inc. and Chaco Energy Company. Texas Utilities Company files a consolidated tax return.
10. **Net Current Cost.** The current cost of plant of TP&L is \$3,718,571,358 as claimed by TP&L. (Schedule E, Rate Filing Package) Such amount is adjusted for age and condition by \$1,152,855,967 for a net current cost of \$2,565,715,391. (Staff Exhibit 3, [Ex. II, p. 3]) This determination is obtained by use of the methodology outlined in Staff Witness Saathoff Testimony (Staff Exhibit 3) on pages 7-10.
11. **Adjusted Value of Invested Capital.** The adjusted value of invested capital of TP&L is \$2,090,548,037, determined in the following manner:

Net Plant - Original Cost (FOF # 2)	\$1,586,374,761	
Percentage Mix	<u>63.75%</u>	\$ 1,011,313,910
Net Plant - Current Cost (FOF # 10)	\$2,565,715,391	
Percentage Mix	<u>36.25%</u>	930,071,829
CWIP	(FOF #4)	187,251,585
Nuclear Fuel in Process	(FOF #5)	23,896,607
Plant Held for Future Use	(FOF #6)	3,309,707
Working Capital	(FOF #7)	52,103,323
Accumulated Deferred Federal Income Taxes	(FOF #8)	(101,409,798)
Reserve for Insurance and Casualties	(FOF #8)	(1,315,161)
Customer Deposits and Advances	(FOF #8)	(7,545,860)
Other Cost Free Capital	(FOF #8)	<u>(7,128,105)</u>
		\$ 2,090,548,037

The percentage mixes applied to original and current cost of plant are as shown in Staff Exhibit 5 at pages 3-5. These percentages, which the Commission finds to be reasonable, appropriately reflect consideration of inflation, quality of service being provided, the growth rate of the service area, and the need of TP&L to attract new capital pursuant to Sec. 41(a) of the Act.

12. Capitalization. The capitalization of TP&L at the end of the test year, adjusted to reflect all known and measurable changes, is as follows:

- a. Long term capital debt of \$903,461,881 representing 44.04 percent of total capital with an embedded cost of 7.79 percent;
- b. Preferred stock of \$237,759,654 representing 11.59 percent of total capital with an embedded cost of 7.51 percent;
- c. Common equity of \$792,074,899 representing 38.61 percent of total capital, upon which a reasonable rate of return is 15.5 percent;
- d. Supplemental available capital in the form of unamortized investment tax credits of \$118,041,518, representing 5.76 percent of total capital funds available, upon which a reasonable rate of return of 10.91 percent is allowed.

13. Cost of Capital. The adjusted capitalization and weighted cost of capital to TP&L is:

Source	Amount	Percent of Total	Component Percentage Cost	Weighted Average Cost
Long Term Debt	\$ 903,461,881	44.04%	7.79%	3.43%
Preferred Stock	237,759,654	11.59%	7.51%	.87%
Common Equity	792,074,899	38.61%	15.50%	5.98%
Supplemental Available Capital-Unamortized Investment Tax Credits	118,041,518	5.76%	10.91%	.63%
Total	\$ 2,051,337,952	100.00%		10.91%

14. Debt. The annual interest requirement on long term debt capital is \$70,351,318 representing a cost of 7.79 percent on 44.04 percent of TP&L's capital structure resulting in a weighted average cost of 3.43 percent.

15. Preferred Stock. The annual dividend requirement on preferred stock is \$17,852,990 representing a cost of 7.51 percent on 11.59 percent of TP&L's capital structure resulting in a weighted average cost of .87 percent.
16. Return on Equity Capital. The annual return on equity capital of 15.5 percent on 38.61 percent of TP&L's capital structure is fair and reasonable and is sufficient to assure confidence in the financial integrity of TP&L so as to maintain its credit and to attract additional capital and is comparable to returns of similar companies having comparable risks and results in a weighted average cost of 5.98 percent.
17. Unamortized Investment Tax Credit. TP&L is allowed the opportunity to earn the composite cost of capital of 10.91 percent on the unamortized investment tax credit in the amount of \$118,041,518 with a weighted average cost of .63 percent. No reduction in rate base has been made by this amount or for any portion of said unamortized investment tax credit.
18. Bond Rating. The return on common equity permitted herein should result in a pre-tax times interest coverage which will support a bond rating for TP&L which will allow it to continue in its ability to attract capital at the lowest ultimate cost to the ratepayer. The amount of allowance for funds under construction as a percentage of earnings for common equity is 18.2 percent, which the Commission finds to be reasonable under the circumstances of this Docket.
19. Return on Adjusted Value of Invested Capital. A reasonable return on the adjusted value of invested capital is 9.06 percent. Such a rate will not yield more than a fair return on the adjusted value of invested capital, as required by Sec. 45(a) of the Act.
20. Cost of Service. The adjusted cost of service and revenue requirement of TP&L for the test period is \$896,390,039 and is composed of the following elements:

Fuel	(FOF #21)	\$ 336,590,957
Operation and Maintenance Expense	(FOF #22)	147,248,012
Depreciation	(FOF #23)	67,818,482
Federal Income Taxes	(FOF #24)	106,265,893
Taxes other than Federal Income Taxes	(FOF #25)	48,748,181
Interest on Customer Deposits	(FOF #26)	371,550
Return on Invested Capital	(FOF #27)	189,346,964

21. Fuel. An adjustment to TP&L's proposed fuel expense of \$331,758,697 in the amount of \$4,832,260 is found to be reasonable for the reasons set forth in Staff Witness Blumenthal's Testimony. (Staff Ex. 6, p. 4, 5)

22. Operation and Maintenance Expense. TP&L claimed operation and maintenance expenses in the amount of \$152,074,538 (excluding fuel). A reduction of \$4,826,526 in the claimed amount is reasonable, as set forth below, and results in an allowable total amount for operation and maintenance expense of \$147,248,012.

The adjustments required are shown on Staff Exhibit 6 (Ex. 1, page 2 of 6) except that: (a) the provision for insurance reserve allowed shall be \$528,000 rather than \$264,000 as shown, and (b) the provision for uncollectibles allowed shall be \$3,002,010 rather than \$2,986,142 as shown.

23. Depreciation. TP&L's current composite depreciation rate is 3.50 percent and is composed of the following elements:

Gas/Oil Production Plant	3.92%
Lignite Production Plant	3.38%
Other - Production Plant	3.32%
Transmission Plant	2.43%
Distribution Plant	3.61%
General Plant	7.42%

The Company has proposed a composite depreciation rate of 3.53 percent made up of the following elements:

Gas/Oil Production Plant	4.20%
Lignite Production Plant	3.48%
Other - Production Plant	3.32%
Transmission Plant	2.52%
Distribution Plant	3.61%
General Plant	6.69%

Staff Witness Saathoff concurred in TP&L's proposed rates except for the rate on Distribution Plant, his recommendation being 3.60 percent for Distribution Plant. The Commission finds an appropriate and reasonable composite depreciation rate to be 3.52 percent using the allocations proposed by TP&L except for the rate for Distribution Plant being changed to 3.60 percent. (Staff Witness Saathoff Testimony p. 3-7; TP&L Witness Cole Testimony p. 5-10)

24. Federal Income Taxes. The Company claimed federal income tax of \$120,339,810 is adjusted by an amount of \$14,073,917 which is found to be proper and which reflects tax effects in the cost of service of TP&L as set forth herein.



25. Taxes other than Federal Income Taxes. The Commission finds that an adjustment in the amount of \$302,379 should be made to TP&L's requested amount of \$49,050,560 for taxes other than federal income taxes for a net amount of \$48,748,181. The adjustment is proper and results in adjustments, using methodology as shown on Staff Exhibit 6 (Ex. 1, p. 4), except for ad valorem taxes which are calculated by using TP&L's requested amount.
26. Interest on Customer Deposits. Interest on customer deposits in the amount of \$371,550 as claimed by TP&L is found to be proper.
27. Return on Invested Capital. A reasonable return on invested capital of \$189,346,964 is allowed TP&L in its cost of service which the Commission finds to be fair and reasonable.
28. Weather Normalization. The Commission finds the proposed weather normalization as proposed by TP&L is unsupported. Sufficient doubt was cast upon the proposal by various witnesses that the Commission determines such adjustment to be unreasonable, and the TP&L proposed adjustment for weather is denied.
29. Revenue Deficiency. The revenue deficiency of TP&L for the test year period is \$83,371,920. The Commission finds TP&L's cost of service (revenue requirement) of \$896,390,039 will permit TP&L to recover all of its operating expenses together with a reasonable return on its invested capital as required by Sec. 39 of the Act. TP&L's recovery of revenues from the fuel adjustment clause and sources other than base rates is \$335,458,950, the base rate revenue requirement is \$560,931,089, the adjusted test period base rate revenues are \$477,559,169, resulting in the revenue deficiency set forth above.
30. Cost of Service Allocation. The Commission finds the cost allocation methodology recommended by Seniors' Witness Coyle (Senior Ex. 9, p. 25-43) to be reasonable and that the Company shall rerun its cost of service study using such methodology except as set forth herein. All meters and services shall be allocated as customer costs rather than demand costs. Revenues from interchange shall be spread among customers on the same basis that cost responsibility of those facilities was allocated in accordance with the testimony of Staff Witness Goble. (Staff Ex. 13, p. 10, 11).

Further, TP&L is ordered, subsequent to the effective date of the Final Order, to make available to the Commission Staff all data and information requested or inquired into by the Staff relative to its cost of service and shall provide the Commission with Staff requested cost of service studies.

31. Revenue Requirement by Customer Class. Rates of return and relative rates of return by class shall be determined by using the methodology outlined in Finding of Fact No. 30. It is the intent of the Commission that the relative rate of return of each class of customers shall be moved one-third of the way toward unity (system rate of return) provided, however, that no class shall receive a percentage increase in total revenues greater than one and one-half times the overall system percentage increase nor less than one-half times the overall system percentage increase except as provided for herein. It is further provided, in the case of REA, WSP, MS and MW, because by comparison the relative rate of return of these four classes of customers are found to be substantially lower than other classes, that the limitation of one and one-half times the overall system percentage increase shall not apply and a limitation of two times the overall system percentage increase shall apply.

Any revenue excesses or deficiencies resulting from the limitations provided for herein shall be distributed proportionately among the remaining classes of customers based upon revenues authorized herein.

32. Fuel Adjustment Clause. The Commission finds the continuing volatility of fuel prices requires that a cost of fuel adjustment be allowed in order to protect the financial integrity of TP&L. The fuel adjustment clause as filed in the tariff shall provide for a fuel adjustment for the actual fuel consumed in generating each kilowatt hour of electricity sold and for the fuel component of each kilowatt hour of purchased power bought and resold. The Commission finds that the fuel adjustment clause shall recognize the line loss differentials between transmission, primary distribution and secondary distribution groups of customers. The line loss multipliers to be used for each group are:

Transmission	0.958
Primary	0.980
Secondary	1.017

The test year fuel adjustment revenues of each class currently reflect the use of the system average line loss factor for all classes. Because the application of the specifically approved line loss differentials cited above would have resulted in different fuel clause revenues by class in the adjusted test year, it is necessary to adjust the fuel clause revenues by class to reflect the application of these specific line loss factors in the fuel adjustment clause. The clause shall include neither revenue related taxes nor gains or losses on the sale of fuel and must otherwise comply with the Commission's Substantive Rules.

33. PURPA Standards. The Commission finds that though some evidence was presented relative to the standards set forth in Sections 111(d) and 114 of the Public Utility Regulatory Policies Act of 1978 (PURPA), such evidence was insufficient upon which to make a determination relative to such matters as anticipated by PURPA. The Commission does find, however, that the experimental Time-of-Day proposal as submitted by the Company is acceptable and is hereby approved.
34. Reclassification of Customer Classes. The Staff and CPS proposed the consolidation of REA and WP-500, and Navarro College and Hill Junior College requested that junior colleges be "returned" to the public school rate class. The Commission finds that neither of these proposals are justified on the record and neither are approved. (On REA - WP-500: See Tex-La Brief at pages 63-66 and Rayburn Country Brief at pages 4-11; On junior colleges: See Staff Brief at pages 58-59)
35. Rate Structure. In general, the rate structures proposed by TP&L are based on sound rate making principles and are compatible with the rate design philosophy adopted by the Commission in earlier cases, and such rate structures are sufficient, equitable, consistent in application to each class of customers, are not unreasonably preferential, prejudicial or discriminatory, and will produce the proportionate part of the required revenues to eliminate TP&L's revenue deficit. As a result, the final rates filed in compliance with this Order shall be structured as originally proposed with the following exceptions.
- (a) The residential rate shall contain a minimum charge of \$5.00 for the first 30 kilowatt hours and a level charge per kilowatt hour thereafter.
- (b) The charge per kilowatt hour as shown in Rider RSH shall be 2¢ per kwh as calculated by Staff Witness Goble rather than 1.35¢ per kwh as proposed by TP&L.
- (c) The proposed summer-winter differential is unreasonable and is eliminated from all residential rates except that all riders as proposed by TP&L relative to RS service are specifically approved with the change in Rider RSH set forth in 35(b) above.
- (d) The proposed increase in the demand ratchet, where applicable, from the present level of 70 percent to 75 percent is denied as being unreasonable and unsupportable.

Conclusions of Law

1. **Jurisdiction.** The Commission has jurisdiction over this rate change application pursuant to Sections 17(d), 17(e) and 43 of the Public Utility Regulatory Act, TEX.REV.CIV.STAT.ANN. art. 1446c (Supp. 1978) (the Act). The rates set herein will be applicable only to those customers in the unincorporated areas, in those cities which have ceded jurisdiction to the Commission, and in the cities from which appeals have been taken and which have been consolidated within this Docket.
2. **Burden of Proof.** TP&L has the burden of proof to establish its revenue deficiency under its present rates and to establish the amount of such deficiency that will be collected under its proposed rates pursuant to Sec. 40(b) of the Act.
3. **Additional Revenues.** TP&L proved that it is entitled to additional annual revenues of \$83,371,920.
4. **Affected Areas.** The present rates for service in the areas served by TP&L over which this Commission has jurisdiction are insufficient to provide TP&L with the revenues approved in this Order and should be adjusted to conform to the rates established herein for each class of customers.
5. **Recovery.** The rates prescribed herein will allow TP&L to recover its operating expenses together with a reasonable return on its invested capital, pursuant to provisions of Sec. 39 of the Act.
6. **Return.** The rates prescribed herein will yield no more than a fair return upon the adjusted value of the invested capital used and useful by TP&L in rendering service to the public, as provided by Sec. 40(a) of the Act.
7. **Financial Integrity.** The rate of return granted herein is sufficient to assure confidence in the financial soundness of TP&L and is adequate, under efficient and economical management, to maintain and support its credit and enable it to raise the money necessary for the proper discharge of its public duties; is comparable to those returns of other similar companies having comparable risk; and is sufficient to assure confidence in the financial integrity of TP&L so as to maintain its credit and to attract capital. (Federal Power Commission v. Hope Natural Gas Company, 320 U.S. 591, 88 L. Ed. 333; and Bluefield Water Works and Improvement Co. v. Public Commission of West Virginia, 262 U.S. 679, 67 L. Ed. 1176)

8. Rates. The Commission has the authority and duty to set proper rates in all instances whether such action requires increasing, decreasing or changing the rate pattern with respect to any or all rates contained in the proposed tariff regardless of whether the rates in the proposed tariff are different from old rates or not, and no prior notice by the Commission to the applicant is required for such action.
9. Rate Design. The rate design as set out in the Findings of Fact is reasonable and nondiscriminatory and shall be adopted in this Order.

NOW THEREFORE, it is hereby ORDERED that TP&L shall file a revised tariff in accordance with this opinion, the Findings of Fact and Conclusions of Law herein sufficient to generate revenues not greater than those prescribed in this Order. The Commission Staff shall have twenty (20) days from the date of such filing of the revised tariff to review it for approval or rejection. The tariff shall be deemed to be approved and shall become effective upon the expiration of twenty (20) days after filing or sooner upon notification by the Commission Secretary. In the event of rejection, TP&L shall be notified and a copy sent to the intervening parties herein by the Commission Secretary, and TP&L shall have fifteen (15) additional days to file an amended tariff and the same procedure shall be repeated herein. The revised and approved rates shall be charged by TP&L for electricity consumed after the tariff approval date and may not be charged for electricity consumed prior to such date. This Order is deemed to be final on the date of rendition. Approval of the tariff, for all purposes, shall be deemed to be final on the date of its effectiveness either by operation of this Order or by notification by the Commission Secretary, whichever occurs first.

All motions, requests, applications and requests for Findings of Fact and Conclusions of Law not expressly granted herein are denied for want of merit.

RENDERED AND SIGNED AT AUSTIN, TEXAS, on this the 29th day of April, 1980.

PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED: *George M. Cowden*  
George M. Cowden

SIGNED: *Garrett Morris*  
Garrett Morris

SIGNED: *H. N. Rollins*  
H. N. Rollins

ATTEST:

*Philip F. Riccetti*  
PHILIP F. RICCETTI  
COMMISSION SECRETARY  
AND DIRECTOR OF HEARINGS