



Filing Receipt

Received - 2021-11-30 03:32:44 PM

Control Number - 51830

ItemNumber - 35

OPEN MEETING COVER SHEET

MEMORANDUM

MEETING DATE: December 02, 2021

DATE DELIVERED: November 30, 2021

AGENDA ITEM NO.: 10

CAPTION: Project 51830 – Review of Certain Retail
Electric Customer Protection Rules

DESCRIPTION: Discussion and possible action

Distribution List:

- Commissioners' Offices email group
- Division Directors email group
- Commission Advising email group

Public Utility Commission of Texas

Memorandum

TO: Chairman Peter M. Lake
Commissioner Will McAdams
Commissioner Lori Cobos
Commissioner Jimmy Glotfelty

FROM: David Smeltzer, Director of Rules and Projects

DATE: November 30, 2021

RE: December 2, 2021 Open Meeting – Agenda Item No. 10
Project No. 51830, *Review of Certain Retail Electric Customer Protection Rules*

At the July 29, 2021 open meeting, the Commission authorized publication of amendments to 16 TAC §25.43, 25.471, 25.475, 25.479, and 25.498 and new TAC §25.499. Staff is seeking the Commission's direction on four topics that were raised in comments on the proposed rules.

- Should the rule impose a year-over-year cap on the increase to the maximum provider of last resort (POLR) prices calculated under the rule? If so, what should that cap be? (*See also, Question 1, Proposal for Publication*)
- Should the adopted rule specify that ancillary service charges are a component of the price for a fixed rate product?
- Should the adopted rule allow residential and small commercial customers to enroll in indexed retail electric products not explicitly prohibited by HB 16 or products that allow for pass-through of ancillary service charges, subject to completing an acknowledgement of risk (AOR)? (*See also, Question 2, Proposal for Publication*)
- For instances in which the Commission deems an AOR to be appropriate, should the customer be required to explicitly agree to the AOR either verbally, electronically, or through a voice recording?