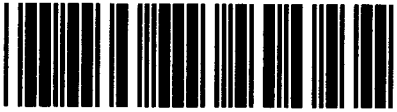




Control Number: 38688



Item Number: 2

Addendum StartPage: 0

DOCKET NO. 38688

COMPLAINT OF KEMM ICE CREAM § PUBLIC UTILITY COMMISSION
CO. AGAINST TXU ENERGY §
§ OF TEXAS

RECEIVED
SEP 20 PM 4:19
PUBLIC UTILITY COMMISSION
FILING CLERK

ORDER NO. 1
REQUIRING RESPONSES

On September 17, 2010, Nora Prieto Vega, on behalf of KEMM Ice Cream Co. (KEMM) (Complainant) filed a formal complaint against TXU Energy alleging billing irregularities. The complaint is hereby docketed as a formal complaint in accordance with P.U.C. PROC. R. 22.242 and is available on the Commission's Interchange.

Requiring Response. Pursuant to P.U.C. PROC. R. 22.78, TXU Energy shall file a response to the complaint no later than **October 13, 2010**, addressing the following:

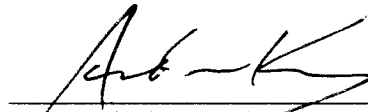
1. the Commission's jurisdiction over this proceeding;
2. allegations raised in the complaint;
3. applicable statutes, rules, orders and/or tariff provisions;
4. copies of any Commission-approved rates/tariffs that are the subject of this complaint; and
5. any other matters relevant to the complaint.

Statement of Position from Commission Staff. Commission Staff is directed to file a statement of position no later than **October 20, 2010**. Among other things, Commission Staff shall confirm whether Complainant has complied with the requirements for informal resolution pursuant to P.U.C. PROC. R. 22.242.

Notifying Office of Public Utility Counsel. By copy of this Order, the Office of Public Utility Counsel is hereby notified of this proceeding.

SIGNED AT AUSTIN, TEXAS on the 20th day of September 2010.

PUBLIC UTILITY COMMISSION OF TEXAS


ANDREW KANG
ADMINISTRATIVE LAW JUDGE