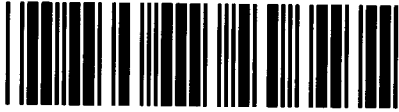




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Addendum StartPage: 0

**DOCKET NO. 41796**

**COMPLAINT OF GUADALUPE  
HERNANDEZ AGAINST ONCOR  
ELECTRIC DELIVERY COMPANY  
LLC AND AMBIT ENERGY**

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§  
§  
§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

2013 OCT 14 PM 1:27  
FILED CLERK

**COMMISSION STAFF'S RESPONSE TO ORDER NO. 2, STATUS  
UPDATE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Response to Order No. 2, Status Update, and would show the following:

**I. BACKGROUND**

On August 29, 2013, Guadalupe Hernandez (Complainant) filed a formal complaint with the Public Utility Commission of Texas (Commission) against Oncor Electric Delivery Company LLC (Oncor) and Ambit Energy (Ambit) alleging billing irregularities related to meter tampering charges. On September 20, 2013, Oncor filed a response stating that Oncor is not able to fully respond to the complaint with necessary admissible evidence, and therefore has decided to refund the entire meter tampering discretionary charges to the Complainant. On September 24, 2013, Ambit filed a response stating that Ambit will advise the complainant of the pending credit adjustment from Oncor.

On September 30, 2013, Staff filed a request to extend the deadline to file either a statement of position or a status update due to the parties' ongoing efforts to fully settle all issues in this matter. Order No. 2 was issued that same day granting Staff's request and requiring a statement of position or status update by October 14, 2013.

**II. STATUS UPDATE**

As noted above, Oncor stated in its response to the formal complaint that it would refund the entire meter tampering charges to Complainant's account. On October 2, 2013, Ambit provided Staff with documentation reflecting a full refund of the meter tampering charges (\$416.20) and a zero balance on Complainant's account, as well as a letter from Ambit to the

Complainant providing this information.<sup>1</sup> Additionally, the Complainant has verbally indicated to Staff that the formal complaint has been resolved. Staff has requested on several occasions that Complainant provide a written statement indicating that her formal complaint has been resolved, however Complainant has not responded to such requests.

Because Oncor stated that it would provide a refund of the meter tampering charges at issue, and Ambit provided documentation that such refund has been processed on Complainant's account, this matter appears to be resolved. Therefore, Staff recommends dismissal of this proceeding.

### **III. CONCLUSION**

Staff respectfully requests that the ALJ issue an order consistent with this pleading.

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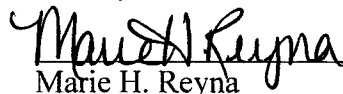
<sup>1</sup> See attached confidentially filed documents.

**Dated: October 14, 2013**

Respectfully Submitted,

Joseph P. Younger  
Division Director-Legal Division

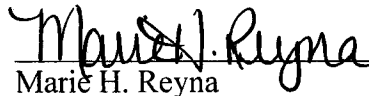
Shelah J. Cisneros  
Managing Attorney-Legal Division

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Public Utility Commission of Texas  
1701 N. Congress Avenue  
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Austin, Texas 78711-3326

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 14, 2013, in accordance with P.U.C. Procedural Rule 22.74.

\_\_\_\_\_

Marie H. Reyna