



Control Number: 42383



Item Number: 13

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COMPLAINT OF WAYNE D.
MANNING AGAINST CIRRO
ENERGY AND TEXAS-NEW MEXICO
POWER COMPANY

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PUBLIC UTILITY COMMISSION

OF TEXAS

COMMISSION STAFF'S LIST OF ISSUES

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files Commission Staff's List of Issues, and would show the following:

I. BACKGROUND

On April 11, 2014, Wayne D. Manning (Mr. Manning) filed a formal complaint against Cirro Energy (Cirro) and Texas-New Mexico Power Company (TNMP) regarding his contract for electric service and associated billing irregularities. The Commission issued an Order of Referral in this docket on June 11, 2014. The Order of Referral provides that by June 24, 2014, Mr. Manning, Cirro, and TNMP, shall, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in this docket, a list of issues not to be addressed in this docket, or identify any legal or policy issues that should be briefed for the purposes of a preliminary order. Accordingly, this list of issues is timely filed.

II. LIST OF ISSUES

Staff has identified the following issues that should be addressed in this proceeding.

1. Did Cirro bill Mr. Manning in accordance with his residential service contract? If not, did it result in overbilling to Mr. Manning?
2. Were the demand charges and related fees appropriately billed to Mr. Manning?
 - a) If not, did it result in overbilling to Mr. Manning?
 - b) If not, is Cirro and/or TNMP responsible for such overbilling?
3. If Cirro and/or TNMP is responsible for overbilling Mr. Manning:
 - a) What amount of refund is appropriate?

- b) What amount of interest is Mr. Manning entitled to, if any, under P.U.C. SUBST. R. 25.480(d)(3)?
- 4. Did Cirro comply with all Commission substantive rules when it passed through commercial demand meter charges to Mr. Manning's account?
- 5. If Mr. Manning requested residential service at a premises that was previously used for commercial purposes and had a demand meter installed:
 - a) Was it Cirro or TNMP that first became aware of the change in service type?
 - b) If Cirro was the first to become aware of the change in service type, was it the responsibility of Cirro to report such information to the TDU when it became aware of such a change?

III. LIST OF ISSUES NOT TO BE ADDRESSED

Staff has not identified any issues that should not be addressed in this docket.

IV. THRESHOLD LEGAL/POLICY ISSUES

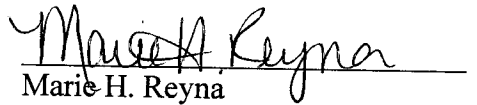
Staff has not identified any legal or policy issues that should be briefed for the purposes of a preliminary order.

Dated: June 24, 2014

Respectfully Submitted,

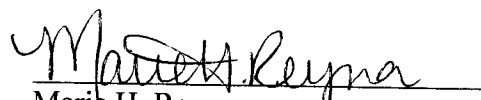
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 24, 2014, in accordance with P.U.C. Procedural Rule 22.74.


Marie H. Reyna