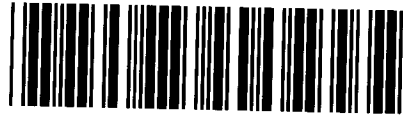




Control Number: 44435



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Addendum StartPage: 0

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APPEAL OF CENTERPOINT ENERGY §  
HOUSTON ELECTRIC, LLC FROM §  
AN ORDINANCE OF THE CITY OF §  
PEARLAND §

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

**AGREED MOTION TO WITHDRAW AND  
REQUEST TO DISMISS APPEAL**

The City of Pearland (“City”), CenterPoint Energy Houston Electric, LLC (“CenterPoint”), and Public Utility Commission (“Commission”) Staff (together, the “Parties”) file this Agreed Motion to Withdraw and Request to Dismiss Appeal in the above-styled appeal and in support would show as follows:

On August 24, 2015, to address the concerns raised in CenterPoint’s appeal, the City adopted an ordinance revising the sections of its Uniform Development Code (“UDC”) subject to the appeal. The revisions were based on the Parties’ settlement negotiations and ensure the UDC does not conflict with CenterPoint’s Commission-approved tariff for retail electric delivery service, the Commission’s regulations, or the Public Utility Regulatory Act. The revisions reflect the City’s intent for the UDC, and all actions taken under it, to be consistent with CenterPoint’s Commission-approved tariff.

On September 15, 2015, the Parties filed a Joint Status Report requesting to continue the abatement to allow CenterPoint additional time to review the revisions. CenterPoint is now satisfied that the revised UDC, by its own terms and by the City’s intent in adopting the revisions, may not be construed to preempt or in any way be in conflict with any part of CenterPoint’s Commission-approved tariff, and that all outstanding issues in this appeal have been resolved. Notwithstanding the foregoing, CenterPoint reserves the right to initiate any

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action whatsoever against the City in the event that the City again amends the UDC, or acts under it, in a manner that is in conflict with CenterPoint's Commission-approved tariff.

Accordingly, the Parties agree this matter has been fully resolved and request the presiding Administrative Law Judge enter an order consistent with the draft attached hereto as Exhibit A.

Respectfully submitted and agreed to,

**LLOYD GOSSELINK ROCHELLE  
& TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900

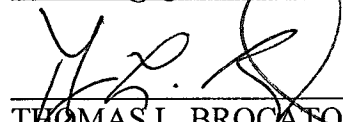
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THOMAS L. BROCATO

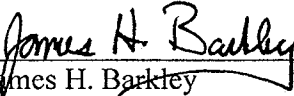
State Bar No. 03039030

HANNAH M. WILCHAR

State Bar No. 24088631


ATTORNEYS FOR THE CITY OF PEARLAND

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ENERGY HOUSTON ELECTRIC, LLC

**PUBLIC UTILITY COMMISSION OF  
TEXAS STAFF**

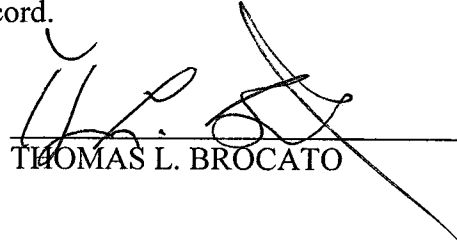


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Public Utility Commission of Texas  
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Austin, TX 78711-3326

**CERTIFICATE OF SERVICE**

By my signature so noted above, I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, e-mail and/or regular, first class mail on this 28th day of September, 2015, to the parties of record.



THOMAS L. BROCATO

**EXHIBIT A**

**SOAH DOCKET NO. 473-15-2740  
PUC DOCKET NO. 44435**

**APPEAL OF CENTERPOINT ENERGY §  
HOUSTON ELECTRIC, LLC FROM §  
AN ORDINANCE OF THE CITY OF §  
PEARLAND §** **BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS**

**SOAH ORDER NO. 8  
GRANTING AGREED MOTION TO WITHDRAW AND  
REQUEST TO DISMISS APPEAL**

On September 28, 2015, the City of Pearland, CenterPoint Energy Houston Electric, LLC, and Public Utility Commission Staff filed an Agreed Motion to Withdraw and Request to Dismiss Appeal based on the resolution of all outstanding issues pending in this appeal. The motion is granted and this proceeding is hereby dismissed without prejudice for the reasons stated in the Agreed Motion.

**SIGNED September \_\_, 2015.**

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**TRAVIS VICKERY  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**