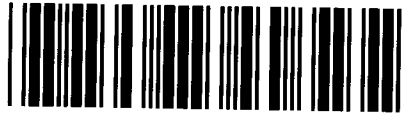




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APPEAL OF CENTERPOINT  
ENERGY HOUSTON ELECTRIC,  
LLC FROM AN ORDINANCE OF THE  
CITY OF PEARLAND

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§

PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILING CLERK

**COMMISSION STAFF'S LIST OF ISSUES**

COMES NOW the Staff of the Public Utility Commission of Texas, representing the public interest and files this List of Issues:

**I. BACKGROUND**

On February 10, 2015, CenterPoint Energy Houston Electric, LLC (CenterPoint) filed an appeal with the Public Utility Commission of Texas (Commission or PUC) from an Ordinance of the City of Pearland, Texas (City), and, in the alternative, Application for Declaratory Order (Appeal). CenterPoint is the certificated transmission and distribution utility for the City of Pearland. In the Appeal, CenterPoint contests the City's ordinance that requires all utility service lines to be placed underground. CenterPoint contends that the City should be prohibited from enforcing the ordinance or be required to compensate CenterPoint for any additional costs sustained as a result of the ordinance.

CenterPoint asserts that the Commission has jurisdiction over the parties and subject matter of the Appeal under Public Utility Regulatory Act (PURA) §§ 11.002, 11.003(13), 11.003(19), 14.051, 31.002(15), 32.001(b), and 36.004.

On March 10, 2015, the Commission referred this matter to the State Office of Administrative Hearings (SOAH), requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if necessary. The Order of Referral stated that CenterPoint shall, and Staff and any other interested party may, file by March 25, 2015 with the Commission a list of issues to be addressed in this docket. Therefore, this list of issues is timely filed.

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## II. LIST OF ISSUES TO BE ADDRESSED

Staff recommends that the following issues be addressed in this proceeding:

1. Does the Commission have appellate jurisdiction over a city ordinance regulating distribution lines?
2. Is the filed-rate doctrine applicable; and, if so, does the City of Pearland's Corridor Overlay District Ordinance contradict the provisions of CenterPoint's Commission-approved tariff?
3. Does the City of Pearland's Corridor Overlay District Ordinance as appealed by CenterPoint, violate PURA, Commission rules, or offend the public interest?

## III. ISSUES NOT TO BE ADDRESSED


Staff has not identified any issues not to be addressed.

**DATED: March 25, 2015**

Respectfully Submitted,

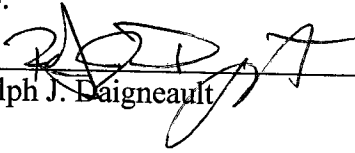
Margaret Uhlig Pemberton  
Division Director - Legal Division

Karen S. Hubbard  
Managing Attorney - Legal Division

  
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Ralph J. Daignault  
Attorney-Legal Division  
State Bar No. 24040755  
(512) 936-7348 (telephone)  
(512) 936-7268 (facsimile)  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on March 25, 2015, in accordance with P.U.C. Procedural Rule 22.74.

  
\_\_\_\_\_  
Ralph J. Daigneault