



Control Number: 47552



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PUBLIC UTILITY COMMISSION
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OPEN MEETING COVER SHEET

MEETING DATE: September 28, 2017

DATE DELIVERED: September 27, 2017

AGENDA ITEM NO.: 1

CAPTION: **Project 47552** – Issues Related to the
Disaster Resulting from Hurricane Harvey

ACTION REQUESTED: Discussion and possible action including the
issuance of orders to facilitate
implementation of the Governor's
proclamations and actions, the delegation of
authority, and the adoption of emergency
rules.

Distribution List:
Commissioners' Office (9)
Lloyd, Brian
Journey, Stephen
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Public Utility Commission of Texas


Memorandum

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PUBLIC UTILITY COMMISSION
FILING CLERK

To: Chairman DeAnn T. Walker
Commissioner Kenneth W. Anderson, Jr.
Commissioner Brandy Marty Marquez

From: Brian H. Lloyd 
Executive Director

Date: September 27, 2017

Re: Project No. 47552, Issues Related to the Disaster Resulting From Hurricane Harvey

At the August 31, 2017 Open Meeting, the Commission issued the *Order to Assist Implementation of the Governor's Proclamations Related to the Disaster Caused by Hurricane Harvey* (Order). In that order, the Commission directed Retail Electric Providers (REPs) to offer deferred payment plans to customers upon request in areas covered by Governor Abbott's disaster declarations as contemplated by P.U.C. Subst. R. 25.480(j)(1)(B) until September 29, 2017.

Commission Staff has continued to meet periodically with REPs, the affected utilities, and consumer groups to discuss the progress of recovery and determine if additional rule suspension requests or enforcement discretion is warranted. TEAM, TXU Energy, and Reliant Energy believe that the provision of P.U.C. Subst. R. 25.480(j)(1)(B) requiring REPs to offer deferred payment plans should be extended. Attached to this memo is a draft order extending that requirements until October 12, 2017 if the Commission agrees that is an appropriate course of action.

Given that restoration efforts are complete for all customers who can take power, Staff does not believe that broad based enforcement discretion, rule suspensions, or emergency rules are necessary at this time. The Commission's call center continues to receive a small number of calls related to Harvey, and we believe the inquiry/informal complaint process is currently working effectively to identify and resolve customer issues on a case-by-case basis. Additionally, at the August 31 Open Meeting the Commission delegated authority to the executive director to issue cease and desist orders under subchapter D of Chapter 15 where necessary to address matters related to Hurricane Harvey, and that delegation remains in effect, if necessary.

Following the August 31, 2017 Open Meeting, I also issued a series of memoranda detailing certain provisions of Commission rules that would be subject to enforcement discretion

through September 29, 2017. Unless otherwise directed by the Commission, it is my intention to extend enforcement discretion for rules related to meter readings and estimation where advanced metering systems are not communicating or meters are otherwise damaged or inaccessible, with the caveat that the Commission made it clear in its Order that estimation should only be done in these circumstances and should account for likely reductions in usage. While all other broad based enforcement discretion will expire on September 29, Commission Staff will resume its normal practice of exercising that discretion where appropriate to enable continued restoration efforts or to avoid absurd results.

I look forward to discussing these matters at the Open Meeting.

PROJECT NO. 47552

ISSUES RELATING TO THE	§	PUBLIC UTILITY COMMISSION
DISASTER RESULTING FROM	§	
HURRICANE HARVEY	§	OF TEXAS

**ORDER EXTENDING THE COMMISSION'S PREVIOUS ORDER AS PER
DEFERRED PAYMENT PLANS FOR ELECTRICITY CUSTOMERS**

On August 31, 2017, the Commission issued an Order to Assist Implementing of the Governor's Proclamations Related to the Disaster Caused by Hurricane Harvey. As part of that Order, the Commission directed Retail Electric Providers to offer deferred payment plans to customers, pursuant to 16 TAC § 25.480(j)(1)(B).

This particular provision expires on September 29, 2017. Recognizing that many customers are still recovering from the effects of the hurricane, the Commission extends this provision and directs Retail Electric Providers to offer deferred payment plans to customers, upon request, if the service location is within an area covered by a disaster declaration until October 12, 2017.

Signed at Austin, Texas the _____ day of September 2017.

PUBLIC UTILITY COMMISSION OF TEXAS

DEANN T. WALKER, CHAIRMAN

KENNETH W. ANDERSON, JR., COMMISSIONER

BRANDY MARTY MARQUEZ, COMMISSIONER