



Control Number: 49421



Item Number: 390

Addendum StartPage: 0

SOAH DOCKET NO. 473-19-3864
PUC DOCKET NO. 49421

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APPLICATION OF CENTERPOINT § **BEFORE THE STATE OFFICE**
ENERGY HOUSTON ELECTRIC, LLC § **FOR THE PUBLIC UTILITY COMMISSION**
FOR AUTHORITY TO CHANGE § **OF**
RATES § **ADMINISTRATIVE HEARINGS**

SOAH ORDER NO. 5
GRANTING MOTION TO SEVER RATE CASE EXPENSE ISSUES
AND ESTABLISHING A NEW DOCKET

SOAH DOCKET NO. 473-19-5174
PUC DOCKET NO. 49595

REVIEW OF RATE CASE EXPENSES § **BEFORE THE STATE OFFICE**
INCURRED BY CENTERPOINT §
ENERGY HOUSTON ELECTRIC, LLC § **OF**
IN DOCKET NOS. 38339, 45747, 47032, §
47364, 48226, AND 49421 § **ADMINISTRATIVE HEARINGS**

SOAH ORDER NO. 1
ESTABLISHING A NEW DOCKET AND ADDRESSING PROCEDURES

On May 24, 2019, CenterPoint Energy Houston Electric, LLC (CenterPoint) filed in Docket No. 49421 an amended motion to sever the consideration of rate case expenses incurred by CenterPoint in connection with Public Utility Commission of Texas (Commission) Docket Nos. 38339, 45747, 47032, 47364, 48226, and 49421 (including applicable appeals) (Amended Motion to Sever).

CenterPoint requests that all rate case expense issues associated with the above-referenced dockets be addressed in a separate, severed proceeding. Additionally, CenterPoint proposes: (1) that the deadlines for filing testimony or other evidence addressing rate case expenses be determined, and all rate-case-expense-related discovery be conducted, in the severed proceeding; and (2) that the parties be required to intervene separately in the severed proceeding.

390

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The Amended Motion to Sever is unopposed, and CenterPoint asserts it is the result of discussions it has had with the parties. The Administrative Law Judges find that severance would serve the interest of efficiency and CenterPoint's ability to present its case and other parties' ability to respond to CenterPoint's case would not be unduly prejudiced. Accordingly, the Amended Motion to Sever is **GRANTED**.

It is therefore **ORDERED** that the issues associated with the rate case expenses incurred by CenterPoint (including expenses incurred by municipality parties) in Commission Docket Nos. 38339, 45747, 47032, 47364, 48226, and 49421 are **SEVERED** and will be considered in SOAH Docket No. 473-19-5174, PUC Docket No. 49595, *Review of Rate Case Expenses Incurred by CenterPoint Energy Houston Electric, LLC in Docket Nos. 38339, 45747, 47032, 47364, 48226, and 49421* (referred to in this Order as Docket No. 49595).

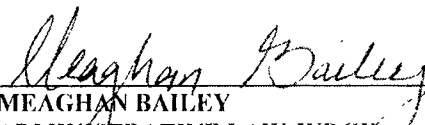
The following applies to Docket No. 49595, subject to any order to the contrary issued in that same docket at a later date:


- 1) The Commission's order of referral to the State Office of Administrative Hearings (SOAH) in Docket No. 49421 and the issues in the Commission's Preliminary Order in Docket No. 49421 that relate to rate case expenses incurred by CenterPoint in Commission Docket Nos. 38339, 45747, 47032, 47364, 48226, and 49421 apply to Docket No. 49595.
- 2) The public notice provided in Docket No. 49421 is public notice for purposes of Docket No 49595; new public notice is not required.
- 3) Any intervenor admitted as a party in Docket No. 49421 will be admitted as a party if, **no later than 10 days from the date of this order**, such intervenor files in Docket No. 49595 a request to be considered a party.
- 4) The intervention deadline has passed. To be admitted as an intervenor in Docket No. 49595, a person that is not a party to Docket No. 49421, or that is an existing Docket No. 49421 party but does not make a timely filing as described in the preceding paragraph, will be subject to the late intervention standards set out in 16 Texas Administrative Code § 22.104(d).
- 5) The service procedures established in SOAH Order No. 2 in Docket No. 49421 apply to Docket No. 49595.

- 6) Any party may use in Docket No. 49595 any discovery responses received in Docket No. 49421; such discovery responses need not be duplicated.
- 7) CenterPoint **SHALL** confer with the other parties to Docket No. 49595 and file in that docket, **no later than 30 days from the date of this order**, a motion to abate, a proposed procedural schedule, or proposed dates for a prehearing conference in Docket No. 49595 to discuss issues in that case, including a procedural schedule.

SIGNED June 4, 2019.


STEVEN D. ARNOLD
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS


MEAGHAN BAILEY
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS


ELIZABETH DREWS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS