

Control Number: 49421



Item Number: 509

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 § PUBLIC UTILITY COMMISSION  
FOR AUTHORITY TO CHANGE § OF FILING CLERK  
RATES § ADMINISTRATIVE HEARINGS

**CALPINE CORPORATION'S STATEMENT OF POSITION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

COMES NOW Calpine Corporation ("Calpine"), and file this Statement of Position consistent with 16 Tex. Admin. Code 22.124(a)<sup>1</sup> in lieu of Testimony, in the above-captioned docket by June 12, 2019 pursuant to Order No. 6. In support thereof, Calpine would show the following:

CenterPoint Energy Houston Electric, LLC ("CenterPoint") has the burden of proof in this proceeding,<sup>2</sup> and accordingly, Calpine urges careful consideration of CenterPoint's application. Calpine will not file any direct testimony at this time. However, Calpine intends to continue to actively monitor and participate in this docket. It is Calpine's position that CenterPoint should not be permitted to own, operate, or recover costs associated with any assets for which the Public Utility Regulatory Act and Commission rules do not allow such TDSP involvement, nor should the parties or the Commission address any issues the Commission has ruled should not be addressed in this proceeding. In addition, Calpine urges the Commission to approve just and reasonable rate schedules, service rules, and tariff revisions, and therefore recommends that the Commission give serious consideration to Staff and Intervenor positions on these issues.

Calpine continues to evaluate the record of this docket and the testimony of the parties and reserves the right to address issues raised by other parties based on the evidence introduced in this proceeding and to amend or supplement this statement of position and/or take other actions in this docket as may be necessary, including file cross-rebuttal testimony on June 19, 2019 or on such date as may be designated to respond appropriately to issues concerning its interests. Calpine further explicitly reserves the right to participate in the hearing on this matter

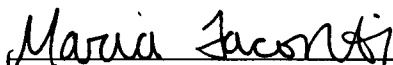
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<sup>1</sup> 16 Tex. Admin. Code § 22.124(a)(TAC).

<sup>2</sup> Public Utility Regulatory Act, Tex. Util. Code Ann. § 36.006 (West 2016 & Supp. 2017).

and cross-examine witnesses, and in briefing. Further, Calpine requests all relief to which it may show itself justly entitled.

Respectfully submitted,



Chris Reeder

State Bar No. 16692300

[chris.reeder@huschblackwell.com](mailto:chris.reeder@huschblackwell.com)

Maria Faconti

State Bar No. 24078487

[maria.faconti@huschblackwell.com](mailto:maria.faconti@huschblackwell.com)

HUSCH BLACKWELL, L.L.P.

111 Congress Avenue, Suite 1400

Austin, Texas 78701

Telephone: (512) 370-3467

Telecopier: (512) 479-1101

Diana Woodman Hammett

Calpine Corporation

717 Texas Avenue, Suite 1000

Houston, Texas 77002

Direct: (713) 820-4030

Email: [Diana.WoodmanHammett@calpine.com](mailto:Diana.WoodmanHammett@calpine.com)

**ATTORNEYS FOR CALPINE  
CORPORATION**

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this motion has been served on all parties of record and parties who have filed motions to intervene by fax, U.S. first class mail, hand-delivery, electronic mail, and/or by hand delivery on the 12<sup>th</sup> day of June, 2019.



Maria Faconti