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

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FILING CLEAR

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

ALLIANCE FOR RETAIL MARKETS' STATEMENT OF POSITION

Pursuant to the amended procedural schedule adopted in SOAH Order 6,¹ the Alliance for Retail Markets (“ARM”) timely files this Statement of Position in compliance with 16 Texas Administrative Code (“TAC”) § 22.124. ARM has not submitted prefiled Intervenor Direct Testimony in this docket. Given the filing deadline for Statements of Position falls on the same date upon which the Direct Testimony of Commission Staff is due and precedes the date upon which the Rebuttal Testimony of CenterPoint Energy Houston Electric LLC (CenterPoint Houston) is due, ARM reserves the right to amend this Statement of Position upon review of those future testimony filings. Furthermore, ARM reserves the right to participate in the hearing and to take positions on issues raised by other parties in this proceeding based on the development of the evidentiary record.

Notice Period for and Effective Date of Approved Rates

The jurisdictional deadline by which the Commission must issue a final order in this docket remains October 7, 2019.² Retail electric providers (“REPs”) need a reasonable amount of time in which to incorporate the rates approved by final order into the average price calculations reflected in the Electricity Facts Labels (“EFLs”) for retail products offered to residential and small commercial customers in the CenterPoint Houston service area, as required by 16 TAC § 25.475(g)(2). Unless the final order specifies the rates (*i.e.*, retail base rates, retail rider rates, and any other retail non-bypassable charges) approved by the Commission, a REP will not know with any certainty what the actual approved rates are until CenterPoint Houston files the necessary compliance tariffs calculating those rates subsequent to the issuance of the final order. A 45-day

¹ SOAH Order No. 6 at 4 (June 4, 2019).

² *Id.* at 3, 5.

notice period for the rates approved by final order in this docket would be consistent with the notice periods codified in the Commission's rules for Distribution Cost Recovery Factor (DCRF) rates (16 TAC § 25.243(e)(6)(C)), Transmission Cost Recovery Factor (TCRF) rates (16 TAC § 25.193(b)(1)), and Energy Efficiency Cost Recovery Factor (EECRF) rates (16 TAC § 25.181(f)(9)(B)). Accordingly, the effective date of all approved rates would be, at a minimum, the 45th day after the order issued in this docket becomes final. The rates approved in this docket should be aligned with another scheduled CenterPoint Houston rate change, if possible, and preferably take effect at the beginning of the month to facilitate efficiency in the updating and creation of EFLs.

Rate Riders

Several Intervenors propose the adoption of various rate riders to assess specific types of charges or credits. To the extent the Commission adopts one or more of those proposals, all rate riders, base rates, and other non-bypassable charges approved by final order in this docket should become effective on the same date. A single effective date for all approved rates will facilitate efficiency in the updating and creation of EFLs.

Per Meter vs. Per Customer Assessment

ARM supports the recommendations of H-E-B, LP Witness George W. Presses³ and City of Houston/Houston Coalition of Cities Witness Kit Peveto⁴ to reject CenterPoint Houston's proposed assessment of monthly Customer and Meter Charges on a per meter basis. Those charges should continue to be assessed on a per customer basis. If the Commission adopts CenterPoint's proposal to assess those rates on a per meter basis, CenterPoint should be required to provide adequate notice to the REPs serving the impacted customers prior to the effective date of the tariff change.

³ Direct Testimony of George W. Presses at 27:1-18 (June 6, 2019).

⁴ Direct Testimony of Kit Peveto at 29:18-30:13 (June 6, 2019).

Energy Efficiency Program (“EEP”) Adjustment

ARM supports the recommendation of Office of Public Utility Counsel Witness Karl Nalepa⁵ to reject CenterPoint’s proposed EEP adjustment. The Commission has previously rejected CenterPoint proposals to implement a similarly-purposed lost revenue adjustment mechanism relating to its energy efficiency programs. Even assuming the proposed EEP adjustment is legitimate, the issue is more appropriately addressed in the context of an energy efficiency cost recovery factor (“EECRF”) proceeding, rather than a proceeding such as the instant general rate case.

Respectfully submitted,



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**ATTORNEY FOR
ALLIANCE FOR RETAIL MARKETS**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon all parties on June 12, 2019 by email per the agreement of the parties.

By: 
Stephen J. Davis

⁵ Direct Testimony of Karl Nalepa at 46:4-49:6 (June 6, 2019).