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

2019 JUN 21 AM 9:07
FILING CLERK

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

**SOAH ORDER NO. 9
DENYING CENTERPOINT'S MOTION TO STRIKE TESTIMONY**

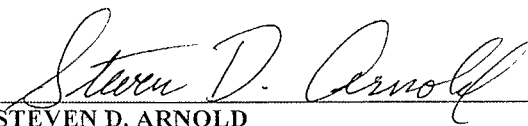
On June 17, 2019, CenterPoint Energy Houston Electric, LLC (CenterPoint) filed a Motion to Strike Portions of the Direct Testimony of Darryl Tietjen and William B. Abbott that were filed on behalf of staff (Staff) of the Public Utility Commission of Texas (Commission) (Motion to Strike). The Motion to Strike focuses on the portions of Mr. Tietjen's testimony in which he recommends that the Commission impose "ring-fencing" protections on CenterPoint. CenterPoint argues that the Commission does not have the statutory authority to order the proposed ring-fencing, and therefore those portions of testimony, and related workpapers, are irrelevant and should be struck. Additionally, the Motion to Strike focuses on the portions of Mr. Abbott's testimony that relate to rate case expenses. CenterPoint argues that those portions of testimony should be struck because the issue of rate case expenses has been severed from this proceeding.

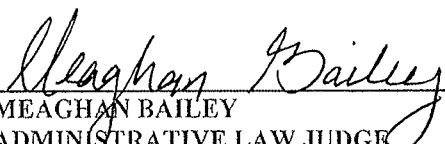
Staff timely responded to the Motion to Strike. Staff indicates that, on June 18, 2019, Mr. Abbott filed errata to his testimony removing the discussion of rate case expenses. Additionally, Staff argues that Mr. Tietjen's challenged testimony is relevant to this proceeding because: (1) it responds directly to the Commission's Preliminary Order Issue No. 9,¹ and (2) is relevant to the general ratemaking requirements and grants of authority under chapter 36 of the Texas Utilities Code.


¹ *Application of CenterPoint Energy Houston Electric, LLC for Authority to Change Rates*, Docket No. 49421, Preliminary Order (May 9, 2019).

The Administrative Law Judges (ALJs) reviewed Mr. Abbott's above-referenced errata and conclude that it has removed the portions of testimony that were subject to the Motion to Strike. Accordingly, CenterPoint's challenge to Mr. Abbott's testimony is moot; thus, no ruling is necessary at this time. Moreover, the ALJs conclude that Mr. Tietjen's challenged testimony directly relates to Preliminary Order Issue No. 9 (explicitly added by the Commission), and is relevant to this proceeding. Accordingly, CenterPoint's Motion to Strike is **DENIED in part**, and Mr. Tietjen's challenged testimony will not be struck.

SIGNED June 20, 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