

Control Number: 49421



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

**APPLICATION OF CENTERPOINT
ENERGY HOUSTON ELECTRIC, LLC
FOR AUTHORITY TO CHANGE
RATES** §
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§
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

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PUBLIC UTILITY COMMISSION
FURNACE

**SOAH ORDER NO. 11
CONSOLIDATING MUNICIPAL APPEALS; ADMITTING EXHIBITS;
AND ALJS' ADVISORY ON RATE CASE EXPENSE ISSUES**

I. CONSOLIDATING MUNICIPAL APPEALS

On August 5, 16, and 30, 2019, CenterPoint Energy Houston Electric, LLC (CenterPoint) filed petitions seeking review of municipal ordinances and resolutions regarding its requested rate change, and requesting to consolidate those petitions with this proceeding (Docket No. 49421) and to admit related evidence (the Petitions).¹ CenterPoint asserts that a number of cities in which it operates denied CenterPoint approval of its requested rate change,² while others did not take timely action and thereby approved the requested rates as filed.³ CenterPoint further asserts that these appeals involve issues of law and fact common to those in Docket No. 49421, and separate hearings would result in unwarranted expense, delay, or substantial injustice. No objections were filed. Accordingly, CenterPoint's motions to consolidate are **GRANTED**.

II. ADMITTING EXHIBITS

A. Optional Completeness

The hearing on the merits in this case convened on June 24-28, 2019. CenterPoint reserved optional completeness to numerous exhibits offered and admitted during the hearing. On

¹ CenterPoint's Petitions also included motions to Consolidate Municipal Rate-Case Expense Issued with Docket No. 49595. This issue is addressed in Section III. below.

² CenterPoint indicates that the following cities denied its requested rate change: La Marque, South Houston, Dickinson, Santa Fe, Jersey Village, Manvel, Lake Jackson, Deer Park, Rosenberg, Webster, Village of Pleak, Stafford, Brazos Country, La Porte, West University Place, Spring Valley Village, Galveston, Hedwig Village, Oak Ridge North, City of Houston, Alvin, Friendswood, Clear Lake Shores, Pasadena, Sugar Land, Baytown, Missouri City, Freeport, Pearland, West Columbia, Sealy, Clute, League City, and Wharton.

³ CenterPoint indicates that the following cities did not take timely action on its requested rate change: Beach City, Bellaire, Brookside Village, Fulshear, Hunter's Creek, Oyster Creek, Seabrook, Shoreacres, Simonton, Taylor Lake Village, Texas City, and Tiki Island. Moreover, CenterPoint acknowledges that there is a dispute regarding whether some municipalities, including Bunker Hill Village, timely acted to deny CenterPoint's requested rate change. Despite the existence of such disputes, the ALJs find that, in the absence of any objection, consolidation is appropriate.

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July 8, 2019, CenterPoint filed a Motion to Admit Evidence Due to Optional Completeness for the following exhibits:

CEHE Ex. 76 Op. Completeness to H-E-B Ex. 31	CEHE Ex. 98 Op. Comp. to TCUC Ex. 41
CEHE Ex. 77 Op. Completeness to Staff Ex. 10	CEHE Ex. 99 Op. Comp. to TCUC Ex. 42
CEHE Ex. 78 Op. Completeness to TIEC Ex. 30	CEHE Ex. 100 Op. Comp. to TCUC Ex. 43
CEHE Ex. 79 Op. Completeness to TIEC Ex. 33	CEHE Ex. 101 Op. Comp. to TCUC Ex. 44
CEHE Ex. 80 Op. Comp. to TCUC Ex. 3	CEHE Ex. 102 Op. Comp. to TCUC Ex. 45
CEHE Ex. 80a Op. Comp. to TCUC Ex. 3 CONF	CEHE Ex. 103 Op. Comp. to TCUC Ex. 46
CEHE Ex. 81 Op. Comp. to TCUC Ex. 11 CONF	CEHE Ex. 104 Op. Comp. to TCUC Ex. 47
CEHE Ex. 82 Op. Comp. to TCUC Ex. 17	CEHE Ex. 105 Op. Comp. to TCUC Ex. 48
CEHE Ex. 83 Op. Comp. to TCUC Ex. 21	CEHE Ex. 106 Op. Comp. to TCUC Ex. 49
CEHE Ex. 83a Op. Comp. to TCUC Ex. 21 CONF	CEHE Ex. 107 Op. Comp. to TCUC Ex. 50
CEHE Ex. 84 Op. Comp. to TCUC Ex. 27	CEHE Ex. 108 Op. Comp. to TCUC Ex. 51
CEHE Ex. 85 Op. Comp. to TCUC Ex. 28	CEHE Ex. 109 Op. Comp. to TCUC Ex. 52
CEHE Ex. 86 Op. Comp. to TCUC Ex. 29	CEHE Ex. 110 Op. Comp. to TCUC Ex. 53
CEHE Ex. 87 Op. Comp. to TCUC Ex. 30	CEHE Ex. 111 Op. Comp. to TCUC Ex. 54
CEHE Ex. 88 Op. Comp. to TCUC Ex. 31	CEHE Ex. 112 Op. Comp. to TCUC Ex. 55
CEHE Ex. 89 Op. Comp. to TCUC Ex. 32	CEHE Ex. 113 Op. Comp. to TCUC Ex. 56
CEHE Ex. 90 Op. Comp. to TCUC Ex. 33	CEHE Ex. 114 Op. Comp. to TCUC Ex. 57
CEHE Ex. 91 Op. Comp. to TCUC Ex. 34	CEHE Ex. 115 Op. Comp. to TCUC Ex. 58
CEHE Ex. 92 Op. Comp. to TCUC Ex. 35	CEHE Ex. 116 Op. Comp. to TCUC Ex. 59
CEHE Ex. 93 Op. Comp. to TCUC Ex. 36	CEHE Ex. 117 Op. Comp. to TCUC Ex. 60
CEHE Ex. 94 Op. Comp. to TCUC Ex. 37	CEHE Ex. 118 Op. Comp. to TCUC Ex. 61
CEHE Ex. 95 Op. Comp. to TCUC Ex. 38	CEHE Ex. 119 Op. Comp. to TCUC Ex. 62
CEHE Ex. 96 Op. Comp. to TCUC Ex. 39	CEHE Ex. 120 Op. Comp. to TCUC Ex. 67
CEHE Ex. 97 Op. Comp. to TCUC Ex. 40	CEHE Ex. 121 Op. Comp. to TCUC Ex. 74

No objections were filed. Accordingly, CenterPoint's motion is **GRANTED** and the above-referenced exhibits are **ADMITTED**.

B. Municipal Appeals

In its Petitions, CenterPoint moved to admit evidence (primarily municipal ordinances related to its appeals and attached as exhibits to the Petitions) and requested that they be admitted and marked as CEHE Exhibit Nos. 122, 123, and 124, respectively. Additionally, on August 30, 2019, CenterPoint filed a letter with the State Office of Administrative Hearings and requested that the City of Houston's ordinance denying CenterPoint's requested rate change (as attached to CenterPoint's letter) be admitted into evidence as part of CEHE Ex. No. 123. No objections were filed.


Accordingly, CenterPoint's motions are **GRANTED** and CEHE Exhibit Nos. 122, 123, and 124 are **ADMITTED**. CenterPoint shall provide a copy of the marked admitted exhibits to the court reporter along with a copy of this order.

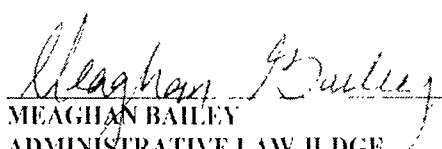
III. ALJs' ADVISORY ON RATE CASE EXPENSE ISSUES


Furthermore, in its Petitions, CenterPoint requested that all associated municipal rate-case expense issues be consolidated within the existing docket dealing with such issues. Docket No. 49595, *Review of Rate Case Expenses Incurred by CenterPoint Energy Houston Electric, LLC* in Docket Nos. 38339, 45747, 47032, 47364, 48226, and 49421.⁴

CenterPoint correctly states that Docket No. 49595 is the existing docket under which its request for the above-referenced rate case expenses will be considered. As a result, CenterPoint must file its requests to consolidate the municipal rate-case expense issues, as detailed in its Petitions, in Docket No. 49595. Accordingly, the ALJs will not rule on this matter at this time.

SIGNED September 10, 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

⁴ The ALJs note that CenterPoint's June 7, 2019 Petition for Review of Municipal Approval of Rate Change and Motion to Consolidate (which was filed after the severance) did not include a request to consolidate municipal rate-case expense issues with Docket No. 49595. As stated above, any such requests should be filed in Docket No. 49595.