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**SOAH DOCKET NO. 473-19-5243
PUC DOCKET NO. 49583**

**APPLICATION OF CENTERPOINT § BEFORE THE STATE OFFICE
ENERGY HOUSTON ELECTRIC, LLC §
TO ADJUST ITS ENERGY § OF
EFFICIENCY COST RECOVERY §
FACTOR § ADMINISTRATIVE HEARINGS**

2019 JUL -5 11:10:12
FILING CLERK

**SOAH ORDER NO. 1
DESCRIPTION OF CASE; REQUESTING STAFF COMMENTS ON SUFFICIENCY OF
NOTICE AND APPLICATION; ADOPTING PROPOSED PROTECTIVE ORDER;
DEADLINE TO SUBMIT AGREED PROCEDURAL SCHEDULE AND
ESTABLISHING, IF NECESSARY, A PREHEARING CONFERENCE; AND OTHER
MATTERS**

I. DESCRIPTION OF CASE

On May 31, 2019, CenterPoint Energy Houston Electric LLC (CenterPoint Houston) filed an application to adjust its energy efficiency cost recovery factor and other related relief pursuant to 16 Texas Administrative Code (TAC) §§ 25.181 and .182. The Public Utility Commission of Texas (Commission) has jurisdiction over this application pursuant to Public Utility Regulatory Act § 39.905. On June 3, 2019, the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary. The Commission will consider and possibly adopt a preliminary order in this docket in the open meeting currently scheduled for June 27, 2019. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Texas Government Code § 2003.049.

II. REQUESTING STAFF COMMENTS ON SUFFICIENCY

Staff shall file its comments on the sufficiency of CenterPoint Houston's proposed notice and on the application itself no later than **June 28, 2019**.

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III. ADOPTING PROPOSED PROTECTIVE ORDER

The Commission's standard protective order, filed as Attachment 2 to CenterPoint Houston's application, is **ADOPTED** and shall apply in this matter.

IV. DEADLINE TO SUBMIT AN AGREED PROCEDURAL SCHEDULE AND ESTABLISHING, IF NECESSARY, A PREHEARING CONFERENCE

In this case, under 16 TAC § 25.182(d)(9)(D) and (E), if no hearing is requested within 30 days of May 31, 2019, a procedural schedule must be set that would allow the Commission to issue a final order within 90 days after an application was filed, or August 29, 2019.¹ If a hearing is requested within 30 days, a procedural schedule must be set that would allow the Commission to issue a final order within 180 days after an application was filed, or November 27, 2019. No later than **June 17, 2019**, CenterPoint Houston shall file an agreed procedural schedule that incorporates the dates set out above as well as other deadlines set in 16 TAC § 25.182 if CenterPoint Houston has reached agreement with the parties. If an agreed procedural schedule is not filed on or before June 17, 2019, **a prehearing conference will be convened in this docket commencing at 2 p.m. on June 24, 2019**, in the William P. Clements Building, 300 West 15th Street, Fourth Floor, Austin, Texas 78701. If an agreed procedural schedule is filed on or before June 17, 2019, the June 24, 2019 prehearing conference is **automatically cancelled** unless a party requests a prehearing conference on or before June 17, 2019.

V. DISCOVERY AND OTHER PROCEDURAL MATTERS


Discovery may begin immediately pursuant to the provisions of subchapter H of the Commission's procedural rules. The following deadlines shall apply to discovery matters in this case:

¹ June 30, 2019 is 30 days from May 31, 2019; June 30, 2019, however, is a Sunday. The due date for requesting a hearing in this docket is, therefore, Monday, July 1, 2019.

- Responses to requests for information (RFIs) shall be filed within **10 calendar days** of receipt;
- Objections to RFIs shall be filed within **five working days** of receipt;
- Motions to compel shall be filed within **two working days** of receipt of objections; and
- Responses to motions to compel shall be filed within **two working days** of receipt.

All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. The Commission's filing clerk will forward a copy of the pleadings to SOAH. If the parties have procedural questions or believe the ALJ should be made aware of a filing in a more immediate manner, they may contact Erin Hurley at erin.hurley@soah.texas.gov or 512-475- 3419. Because this case has a regulatory deadline, unless otherwise specified, responses to any motion or other pleading shall be filed with **three working days** from receipt of the pleading to which the response is made.

SIGNED June 5, 2019.



STEVEN H. NEINAST
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS