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SOAH DOCKET NO. 473-21-2530
PUC DOCKET NO. 52194

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

SOAH ORDER NO. 1
DESCRIBING CASE; REQUIRING STAFF'S COMMENTS ON SUFFICIENCY OF
NOTICE AND APPLICATION; DEADLINE TO SUBMIT AGREED PROCEDURAL
SCHEDULE; DISCOVERY; AND ADOPTING PROPOSED PROTECTIVE ORDER

I. DESCRIPTION OF CASE

On June 1, 2021, CenterPoint Energy Houston Electric, LLC (CenterPoint Energy) filed an application to adjust its energy efficiency cost recovery factor. CenterPoint Energy requests approval to collect a total of \$63,367,922 in 2022, with the proposed adjustments effective as of the beginning of CenterPoint Energy's March 2022 billing month.

On June 3, 2021, the Public Utility Commission of Texas (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 also issued a preliminary order on that date.

The Commission has jurisdiction pursuant to § 39.905 of the Public Utility Regulatory Act and 16 Texas Administrative Code §§ 25.181 and .182. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Texas Government Code § 2003.049.

II. NOTICE AND SUFFICIENCY OF APPLICATION

No later than **June 18, 2021**, Staff shall file its comments on the sufficiency of CenterPoint Energy's application and proposed notice.¹

III. PROCEDURAL SCHEDULE

The parties must confer and CenterPoint Energy shall submit a proposed procedural schedule by **June 15, 2021**. The schedule shall include deadlines to intervene and to request a hearing, and shall include deadlines that apply if a hearing is requested and deadlines that apply if a hearing is not requested.² If the parties wish to change the standard discovery deadlines, they shall address such in the proposed schedule. The parties shall negotiate in an effort to agree on a schedule but if that effort fails, any pleadings regarding the schedule shall be filed no later than **June 15, 2021**. The ALJ will issue an order setting a schedule based on such filing(s). The ALJ is currently available to convene a hearing on August 9, 2021.

IV. DISCOVERY AND OTHER PROCEDURAL MATTERS

Discovery may begin immediately pursuant to the provisions of subchapter H of the Commission's procedural rules. All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. The procedures regarding filing specified in Subchapter E of the Commission's procedural rules apply in this proceeding, except that given the regulatory deadline for this case, unless otherwise specified, responses to any motion or other pleading shall be filed within **three working days** from receipt of the pleading to which the response is made. Pleadings and other filings shall be deemed filed when the proper number of legible copies is presented to the Commission filing clerk for filing.³

¹ 16 Tex. Admin. Code § 25.182(d)(13), (14).

² 16 Tex. Admin. Code § 25.182(d)(9).

³ 16 Tex. Admin. Code § 22.71(c).

V. PROTECTIVE ORDER

The protective order filed with CenterPoint Energy's application is **ADOPTED** and shall apply in this matter.

SIGNED June 4, 2021.



**HOLLY VANDROVEC
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS**