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P.U.C. DOCKET NO. 55365

APPLICATION OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR A PROPOSED 138 KV TRANSMISSION LINE WITHIN CHAMBERS COUNTY	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC’S MOTION FOR MODIFICATION OF THE INTERVENTION PERIOD AND REFERRAL TO SOAH

CenterPoint Energy Houston Electric, LLC (“CenterPoint Energy”) files this Motion for Modification of the Intervention Period and Referral to SOAH (“Motion”) and respectfully shows the following:

On August 14, 2023, CenterPoint Energy filed a request for a docket number under 16 Tex. Admin. Code (“TAC”) § 22.52(a)(1) concerning its application (“Application”) to amend its Certificate of Convenience and Necessity (“CCN”) to construct a 138 kV double circuit transmission line that will loop an existing 138 kV circuit in the CenterPoint Energy transmission network and connect to a new CenterPoint Energy Kilgore distribution substation in Chambers County (the “Project”). The Commission issued Docket Number 55365 on August 15, 2023. CenterPoint Energy intends to file its Application within 25 days.

Senate Bill 1076, which went into effect on June 2, amended PURA¹ § 37.057 such that the Public Utility Commission of Texas (“Commission” or “PUC”) must now approve or deny an application for a certificate for a new transmission facility not later than the 180th day after the day the application is filed. To assist the Commission in meeting this deadline, CenterPoint Energy respectfully requests that the Commission: (1) grant a good cause exception under 16 TAC § 22.5(b) to shorten the intervention period from 45 to 30 days; and (2) upon CenterPoint Energy’s filing of the Application, immediately refer this proceeding to SOAH.

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.016 (“PURA”).

At its June 29, 2023 Open Meeting, the Commission proposed amending 16 TAC § 22.52 to shorten the deadline for intervention to 30 days after the date the application was filed.² Commission Staff have filed a memorandum supporting such a change, stating that while the rule revision is pending “Commission Staff strongly supports the immediate implementation of a 30-day intervention deadline for any electric CCN case subject to a 180-day deadline,” that “Commission Staff would support a finding of good cause to reduce the 45-day intervention deadline” and requesting “that all electric CCN applicants request such a good cause exception immediately upon receiving a docket assignment.”³

Commission rules allow a presiding officer to shorten the intervention period from 45 to 30 days.⁴ Doing so would facilitate a more efficient processing of the Application. Accordingly, CenterPoint Energy respectfully requests that a good cause exception be granted and the intervention period shortened from 45 to 30 days. CenterPoint Energy further requests that good cause be found to modify the notice requirements of 16 TAC § 22.52(a)(1)(A), to allow CenterPoint Energy’s notice to state that the deadline to intervene is 30 days from the date CenterPoint Energy’s Application is filed.

CenterPoint Energy also respectfully requests that this proceeding be referred to SOAH immediately upon the filing of CenterPoint Energy’s Application. Historically, referral to SOAH has taken several weeks or months after a CCN application is filed. In the interim, no SOAH Administrative Law Judge is assigned, and no rulings can be made on any issue, including the setting of a schedule. An immediate referral to SOAH will facilitate the timely resolution of this proceeding.

Accordingly, CenterPoint Energy respectfully requests that the Commission Administrative Law Judge issue an order granting a good cause exception under 16 TAC § 22.5(b) and modifying the deadline to intervene from a 40-day period to a 30-day period from the date CenterPoint Energy files its Application, finding good cause to modify the notice requirements of 16 TAC § 22.52(a)(1)(A) to allow CenterPoint Energy’s notice to state that the deadline to

² *Review of §22.52, Project No. 55153, Proposal for Publication of Amendments to §22.52 as approved at the June 29, 2023 Open Meeting (June 29, 2023).*

³ *Review of §22.52, Project No. 55153, Commission Staff Memorandum (June 22, 2023).*

⁴ 16 TAC § 22.104(b).

intervene is 30 days from the date CenterPoint Energy's Application is filed, and immediately refer this docket to SOAH upon the Application's filing.

Respectfully submitted,



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