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DOCKET NO. 55993

APPLICATION OF CENTERPOINT	§	PUBLIC UTILITY COMMISSION
ENERGY HOUSTON ELECTRIC, LLC	§	
TO AMEND ITS DISTRIBUTION COST	§	OF TEXAS
RECOVERY FACTOR	§	

**ORDER NO. 3
DENYING REQUEST FOR INTERIM RATES,
GRANTING GOOD CAUSE TO EXTEND TIME AND
AMENDING PROCEDURAL SCHEDULE, AND FINDING
APPLICATION ADMINISTRATIVE COMPLETE AND NOTICE SUFFICIENT**

I. Interim Rates

On December 14, 2023, the same day that its application was filed, CenterPoint Energy Houston Electric, LLC requested interim rates. Four of the five intervenors—Gulf Coast Coalition of Cities (GCCC), the City of Houston, and Texas Energy Association for Marketers (TEAM), and Alliance for Retail Markets (ARM)—filed timely objections to the request for interim rates.

Under 16 Texas Administrative Code (TAC) § 22.125(c), interim rates may be granted based on the agreement of all parties. In this case, the parties do not agree. Alternatively, 16 TAC § 22.125(c) provides that a contested request for interim rates may only be granted on a showing of good cause by the requestor, having considered a list of specified factors. The rule further provides that the contested request must be decided after “notice and opportunity for a hearing.” The ALJ concludes that it is neither necessary nor appropriate to provide a hearing on CenterPoint’s request for interim rates. The Commission has recently determined that, for applications of this kind, the parties are not entitled to a hearing.¹ It logically follows that, if there is no right to a hearing on the merits of the application, there is also no right to a hearing on a request for interim rates pending a final decision on the application.

The administrative law judge (ALJ) has read CenterPoint’s and the intervenors’ filings on the issue and is persuaded by the arguments made by the intervenors. Among other things, the ALJ notes that the need for interim rates is much more attenuated in proceedings of this kind (which must be decided within a maximum of 75 days) than it is in a standard rate case (which can

¹ See, *Application of Oncor Electric Delivery Company LLC to Amend its Distribution Cost Recovery Factor*, Docket No. 55993, Order on Briefing Issue (Dec. 7, 2023).

take a year or more). Having considered the factors listed in 16 TAC § 22.125(c), the ALJ concludes that CenterPoint has failed to show good cause for the adoption of interim rates. The company's request for interim rates is, therefore, denied.

II. Extending Decision Deadline

On December 28, 2023, Texas Coast Utilities Coalition (TCUC) filed a motion to extend the 60-day deadline to enter a final order on the application. Houston and GCCC filed briefing in support of the motion. CenterPoint states that it does not oppose the motion. No party objected to the motion.

For the reasons stated by TCUC, Houston, and GCCC, the ALJ finds that good cause exists to extend the 60-day deadline to enter a final order on CenterPoint's application under PURA § 36.210. Accordingly, the ALJ extends the deadline for an additional 15 days.

III. Sufficiency of Application and Notice

On January 8, 2024, Commission Staff filed recommendations regarding CenterPoint's application and notice.

The ALJ finds the application administratively complete and notice sufficient.

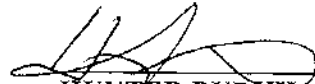
IV. Procedural Schedule

The ALJ adopts the following amended procedural schedule for this case:

Event	Date
Deadline for motions to find the application materially deficient.	January 23, 2024
Deadline for CenterPoint to respond to motions to find the application materially deficient	January 24, 2024
Deadline for intervenors to file recommendations on the application	January 24, 2024
Deadline for Commission Staff to file a recommendation on final disposition	February 1, 2024
Deadline for CenterPoint to file responses to intervenor and Commission Staff recommendations on the application; Deadline for motion (or if no disputed issues exist, deadline for parties to file a joint motion) to admit evidence and proposed findings of fact with corresponding conclusions of law, and ordering paragraphs	February 5, 2024

Signed at Austin, Texas on the 9th day of January 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'HB', is written over a horizontal line.

**HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE**

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