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COMPLAINT OF ROSEVELT BURKS	§	PUBLIC UTILITY COMMISSION
AGAINST CHARIOT ENERGY, LLC	§	
AND CENTERPOINT ENERGY	§	OF TEXAS
HOUSTON ELECTRIC, LLC	§	

ORDER NO. 15

DENYING CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC’S MOTION TO DISMISS

On January 27, 2025, CenterPoint Energy Houston Electric, LLC filed a motion to dismiss under 16 Texas Administrative Code (TAC) § 22.181(d)(6) for failure to prosecute. Specifically, CenterPoint alleges that Rosevelt Burks failed to submit his complaint to the City of Houston in violation of 16 TAC § 22.242(e)(1).

This issue was previously addressed in Order No. 13 filed on January 6, 2025, in which the administrative law judge (ALJ) found that Mr. Burks complied with jurisdictional requirements, including the requirement to submit the complaint to the City of Houston. The ALJ denies the motion to dismiss for the reasons stated in that order.

On November 13, 2024, Mr. Burks filed a copy of an email he sent to the City of Houston at utilitycomplaints@houstontx.gov on that same date complaining of CenterPoint. In that email, Mr. Burks wrote that he was complaining against “Chariot Energy and Center point Energy regarding overcharging me on my utility bill. I’m being charged for power I’m not using.”

On November 21, 2024, Mr. Burks filed a copy of the email he received from the City of Houston in response to his complaint, in which they direct him to file a complaint with the Commission. Based on that email exchange, the ALJ found that Mr. Burks had complied with the requirement to present his complaint to the City of Houston under 16 TAC § 22.242(e)(1).

As the motion to dismiss raises the same issues, CenterPoint’s motion to dismiss is denied.

The pending request from Commission Staff to refer this case to the State Office of Administrative Hearings for a hearing on the merits and Chariot Energy, LLC’s pending motion for summary decision will each be addressed later in separate orders.

Signed at Austin, Texas on the 19th day of February 2025.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'A. Haas', is positioned above a horizontal line.

AARON HAAS
ADMINISTRATIVE LAW JUDGE