



## **Filing Receipt**

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**Item Number - 4**

**DOCKET NO. 56206**

**APPLICATION OF HIVOLT ENERGY      §    PUBLIC UTILITY COMMISSION  
TEXAS, LLC TO AMEND ITS RETAIL      §  
ELECTRIC PROVIDER CERTIFICATE      §                                      OF TEXAS**

**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY OF THE  
APPLICATION AND PROPOSED PROCEDURAL SCHEDULE**

**I.            INTRODUCTION**

On February 12, 2024, HiVolt Energy Texas, LLC (HiVolt Energy) filed an application to amend its Option 2 retail electric provider (REP) certificate number 10317, under PURA<sup>1</sup> § 39.352 and 16 Texas Administrative Code (TAC) § 25.107. HiVolt Energy requests the amendment to reflect the addition of a customer and updated contact information.

On February 16, 2024, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the administrative completeness of the application and propose a procedural schedule by March 4, 2024. Therefore, this pleading is timely filed.

**II.          SUFFICIENCY RECOMMENDATION**

Staff has reviewed HiVolt Energy’s application and recommends that it be deemed sufficient for further review as detailed in the attached memorandum from Josephine Gonzalez of the Consumer Protection Division. This recommendation does not address the merits of the application.

**III.        PROPOSED PROCEDURAL SCHEDULE**

In accordance with Staff’s sufficiency recommendation, Staff proposes the following procedural schedule:

| <b>Event</b>                                                                               | <b>Deadline</b> |
|--------------------------------------------------------------------------------------------|-----------------|
| Intervention and comment deadline                                                          | March 28, 2024  |
| Deadline for Commission Staff’s request for hearing or recommendation on final disposition | April 4, 2024   |

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<sup>1</sup> Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001–66.016 (PURA).

#### **IV. CONCLUSION**

Staff recommends that Hi Volt Energy's application be found sufficient for further review. Staff respectfully requests the entry of an order consistent with the foregoing recommendations.

Dated: March 4, 2024

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

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#### **CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on March 4, 2024, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Tyler Xu  
Tyler Xu

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Tyler Xu, Attorney  
Legal Division

**FROM:** Josephine Gonzalez, Licensing and Compliance Specialist  
Consumer Protection Division

**DATE:** March 4, 2024

**RE:** Docket No. 56206 Application of *HiVolt Energy Texas, LLC*, for a Retail Electric Provider Certificate

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### **Staff's Recommendation on Sufficiency**

#### **Technical and Managerial Requirements**

##### **I. Application**

On February 12, 2024, HiVolt Energy Texas, LLC, (applicant) filed an application with the Public Utility Commission of Texas (Commission) pursuant to Public Utility Regulatory Act (PURA) § 39.352 and 16 Texas Administrative Code (TAC) § 25.107. HiVolt Energy Texas, LLC, seeks to amend REP certificate No. 10317 to add customer(s) and update contact information.

##### **II. Sufficiency Analysis**

Under 16 TAC § 25.107(c)(1), an application for REP certification “shall be on a form approved by the commission, verified by oath or affirmation, and signed by an executive officer of the applicant.” The applicant submitted its application on a commission-approved form, it was verified by oath or affirmation, it was signed by an executive officer of the applicant, and it contained all the information required by 16 TAC § 25.107.

Under 16 TAC § 25.107(d)(2)(I) “[a] person seeking certification under this paragraph must file with the commission a signed, notarized affidavit from each customer, with whom it has contracted to provide one megawatt or more of capacity”. HiVolt Energy Texas, LLC, provided the required signed and notarized customer(s) affidavit in a confidential supplemental filing on February 12, 2024.

### **III. Conclusion**

I have reviewed HiVolt Energy Texas, LLC, application and found that it was submitted on a commission-approved form and that it contains all the information required by 16 TAC § 25.107. Therefore, I recommend that the application be considered sufficient for further review. This recommendation does not address the merits of the application.