



## **Filing Receipt**

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**DOCKET NO. 56786**

<b>INVESTIGATION OF BERKSHIRE</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>COMMUNITIES, LLC FOR</b>	<b>§</b>	
<b>VIOLATIONS OF PURA §§ 17.004(a),</b>	<b>§</b>	<b>OF TEXAS</b>
<b>39.102(a), 39.107(c), AND 39.352(a) AND</b>	<b>§</b>	
<b>16 TAC §§ 25.107(a), 25.471, AND</b>	<b>§</b>	
<b>25.475(c)</b>	<b>§</b>	

**RESPONSE TO ORDER NO. 3**

On October 17, 2022, the Division of Compliance and Enforcement (DICE) of the Public Utility Commission of Texas (Commission) opened an informal investigation of Berkshire Communities, LLC (Berkshire) for violations related to the unauthorized resale of electricity and denial of tenants' rights to choose a retail electric provider (REP) in areas of the state subject to retail customer choice. On July 3, 2024, Staff filed a motion to open a formal investigation of Berkshire, and on July 25, 2024, the Office of Policy and Docket Management filed an order instituting a formal investigation. On February 25, 2025, the administrative law judge (ALJ) filed Order No. 3, requiring Staff to file a third status of the investigation by May 6, 2025. Therefore, this pleading is timely filed.

**I. STATUS REPORT**

Staff has engaged in productive negotiations with counsel for Berkshire and is confident that the parties are nearing a settlement in principle. For this reason, Staff requests a deadline of August 6, 2025 to file a settlement agreement and proposed order, or, in the alternative, a fourth status report.

**II. CONCLUSION**

For the reasons discussed above, Staff requests that the ALJ set a deadline of August 6, 2025 for the parties to file a fourth status report or settlement agreement.

Dated: May 6, 2025

Respectfully Submitted:

**PUBLIC UTILITY COMMISSION OF TEXAS  
Division of Compliance and Enforcement**

John B. Lajzer  
Division Director

/s/ Merritt Lander

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**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on May 6, 2025, in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Merritt Lander

Merritt Lander