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COMPLAINT OF SHAREEF	§	PUBLIC UTILITY COMMISSION
ABDULLAH AGAINST CENTERPOINT	§	
ENERGY HOUSTON ELECTRIC, LLC	§	OF TEXAS

COMMISSION STAFF'S SUPPLEMENTAL STATEMENT OF POSITION

I. INTRODUCTION

On August 28, 2024, Shareef Abdullah (Complainant) filed a complaint against CenterPoint Energy Houston Electric, LLC (CenterPoint) regarding power outages at his residence this year. This complaint was filed under 16 Texas Administrative Code (TAC) § 22.242.

On October 9, 2024, the administrative law judge (ALJ) filed Order No. 2, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental statement of position as to whether its recommendation has changed due to Mr. Abdullah's recent filing by October 15, 2024. Therefore, this pleading is timely filed.

II. SUPPLEMENTAL STATEMENT OF POSITION

Staff's position has not changed in response to Mr. Abdullah's most recent filing. On October 7, 2024, Mr. Abdullah filed a response to CenterPoint's response and motion to dismiss. Mr. Abdullah clarified that he is seeking several forms of relief: 1) reimbursement from CenterPoint for CenterPoint's portion of the costs of the electricity bill Mr. Abdullah pays each month; 2) reimbursement for food spoilage; and 3) a fine payable to Mr. Abdullah for gross negligence for interruption in delivery service.

First, the Commission has jurisdiction over bill payment and adjustments under 16 TAC § 25.28. Any charges that are higher than authorized by a utility's tariff must be corrected in the customer's bill. However, Mr. Abdullah seems to be asking for a refund of CenterPoint's delivery charges. This charge is authorized by CenterPoint's tariff, which was approved by the Commission, and neither the rule nor the tariff contemplates the refund of these delivery charges for interruption due to a hurricane.

Next, the Commission has no jurisdiction over complaints regarding food spoilage. Additionally, the Commission cannot reimburse for damages caused by vegetation management; violations regarding vegetation management is an issue handled by the Division of Compliance

and Enforcement and subject to administrative penalties. Lastly, Mr. Abdullah makes a general claim of gross negligence for interruption of service during Hurricane Beryl, but does not cite CenterPoint undertaking additional wrongful actions, other than the above-mentioned vegetation management violations. The Commission does not have jurisdiction over claims of gross negligence. While the Commission has authority over violations of its rules, Mr. Abdullah has not alleged with specificity other instances of CenterPoint violating Commission rules.

Therefore, Staff re-urges its recommendation that Mr. Abdullah's complaint be dismissed without prejudice under 16 TAC § 22.181(d)(8) for failure to state a claim for which relief can be granted.

III. CONCLUSION

Staff respectfully requests entry of an order consistent with this supplemental statement of position.

Date: October 15, 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 was provided to all parties of record via electronic mail on October 15, 2024 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Cheri Hasz
Cheri Hasz